THE EDITORS: SHOULD WE BAIL OUT GORBO?

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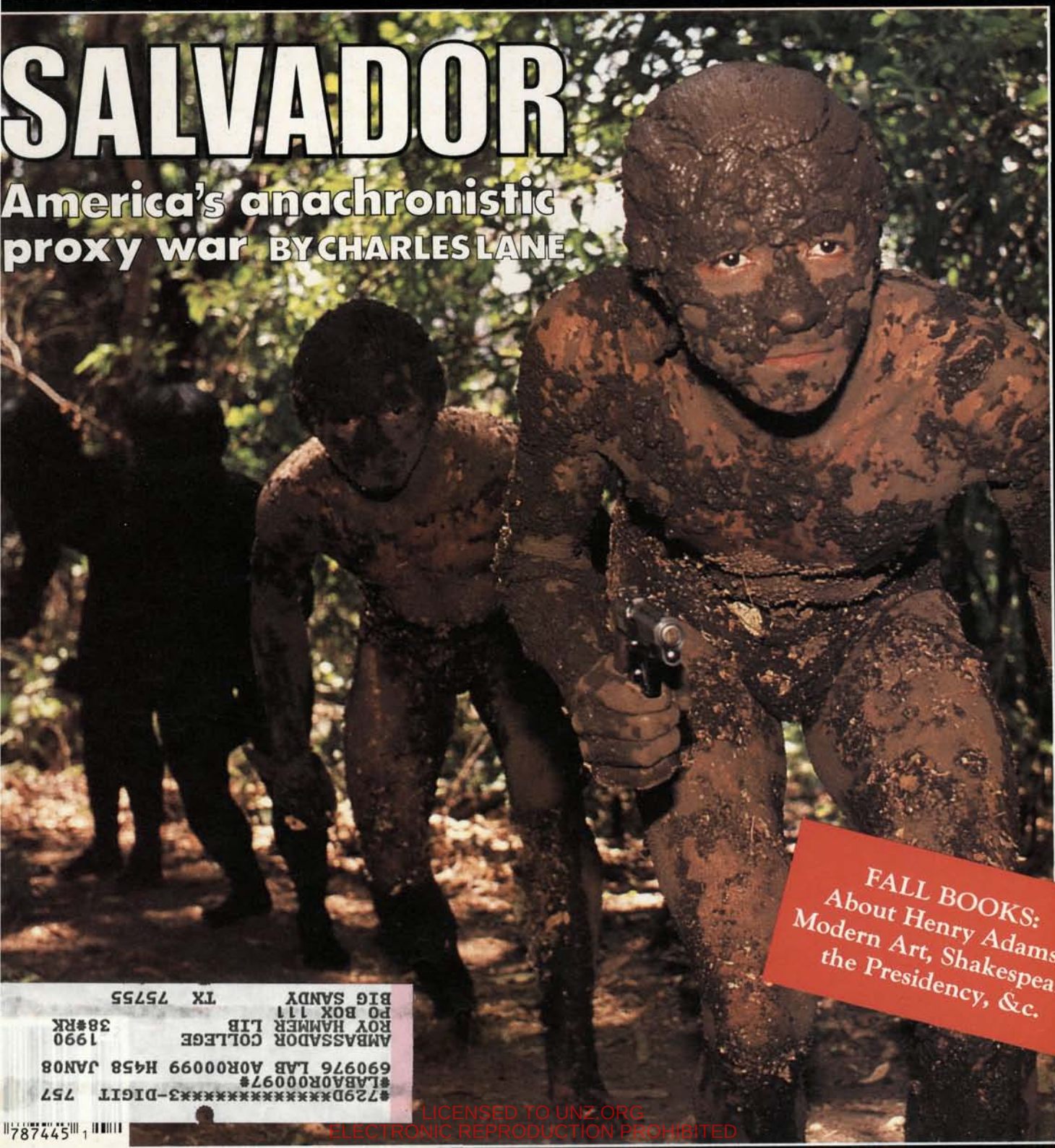

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America's anachronistic proxy war BY CHARLES LANE

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FROM WASHINGTON

In Defense of RICO

Poor "Wiggie." On February 12, 1987, Richard Wigton, head of arbitrage at Kidder Peabody, was arrested by federal agents, led away in handcuffs, and charged with insider trading. Those charges were canceled, but superprosecutor Rudolph Giuliani threatened to bring new ones. It wasn't until a few weeks ago that Wigton was told the feds were dropping the case. Since then, Wigton has become something of a martyr to those who think that white-collar criminal prosecutions are getting out of hand.

But don't get too weepy. The uncontested facts are that Wigton made trades based on tips from Martin Siegel, who was then chief of mergers and acquisitions at Kidder (and is now a convicted inside trader). These tips were remarkably profitable. "He was brilliant," says Wigton, who has chosen to portray himself as a sort of hapless nebbish (albeit one being paid several hundred thousand dollars a year for his financial talents). "I couldn't believe my good luck."

It never occurred to Wigton, he says, that the head of mergers might be giving him inside information on merger deals, even though at least one tip involved a merger deal Siegel was known to be involved with. You can believe that if you wish. The government apparently decided it couldn't penetrate this "moron defense." But Wigton is no martyr. Just extremely lucky once again.

Robert Freeman of Goldman Sachs, who plea-bargained himself a single count of mail fraud in August, called Siegel in January 1986 to confirm a tip from one Bernard "Bunny" Lasker about problems with the leveraged buyout of Beatrice Foods. Freeman knew that Siegel was advising one of the parties to the deal. "Your bunny has a good nose," Siegel said, and Freeman acted, making himself and clients about a million dollars in a few hours. He also is no martyr. His conviction for mail fraud rather than insider trading is good luck (or good lawyering), not injustice.

"Unfettered prosecutors . . . Nazi law enforcement . . . ," thunders the *Wall Street Journal* about these and similar prosecutions. The focus of the griping, at the *Journal* and elsewhere, is RICO, the Racketeer-Influenced and Corrupt Organizations Act. Passed in 1970 as part of a previous Republican president's big crackdown on crime, and originally aimed at the Mafia, RICO has become a major weapon against white-collar crime. It gives prosecutors expanded powers if they can point to a "pattern" of criminal activity. RICO enticed Drexel Burnham Lambert to plead guilty to fraud, and is being used in the pursuit of junk-bond king Michael Milken.

The most controversial RICO provision is one allowing prosecutors—with a judge's permission—to impound an organization's assets (or enough of them to cover what it will owe if convicted) before trial. The purpose is to prevent the assets from slipping away and making the prosecution pointless. But critics say it amounts to "Red Queen justice": punishment first, trial later. And, they complain, it induces innocent parties to plead guilty, in order to avoid financial ruin.

This indignation is oddly selective. People are locked up all the time to prevent them from fleeing before trial. RICO merely extends the practice from people to money—from infringement on liberty to infringement on property, surely a lesser concern. And in another context—drugs—pretrial property seizures are all the rage now, as drug czar Bill Bennett promotes the confiscation of drug users' cars and boats. "Powerful state and federal forfeiture laws permit the confiscation before trial of virtually any kind of property remotely involved in or 'intended for use' in drug transactions," reports *Time*. If the conservative voices complaining about RICO have complained about this, I've missed it.

The Princeton-Newport securities firm, another white-collar martyr, was driven into bankruptcy by associates' fear of a RICO seizure. Sad. Yet this is essentially no different from a man losing his job when merely indicted of a street crime—perfectly legal, happens all the time, with no protest from the *Wall Street Journal*. And in the event, Princeton-Newport was tried and convicted—no plea bargain. The ACLU complains that RICO seizures prevent organizations from hiring the lawyer of their choice. But the constitutional right to counsel doesn't include the right to hire a $500-an-hour lawyer out of wrongfully acquired assets.

Justice Department regulations explic-

continued on page 53

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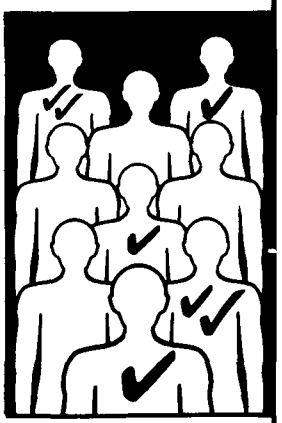

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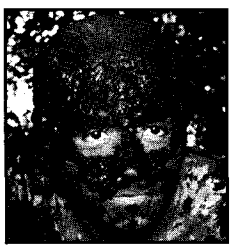

Photo by Bill Gentile/SIPA-Press. Salvadoran guerrillas in demonstration training. Article on page 23.

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CORRESPONDENCE

Altar States

To the editors:

Homosexuals should have the same options heterosexuals have to define their relationship, including marriage. But for Andrew Sullivan to imply that institution is a panacea to litigation over entitlements is absurd ("Here Comes the Groom," August 28). What the courts are attempting to do by designating a lover as family is to honestly define individual situations, a very fair system of justice that Sullivan considers in this case a "nightmare of definitional litigation."

But this litigation enters into any case that warrants unique interpretation by the courts. Recently a married man's infidelity influenced the award his wife received in a wrongful death suit. Since the husband had an affair, the court determined that his companionship was diminished, even though the marriage was still intact at the time of his death. The wife received less compensation as a result of a "nightmare of definitional litigation." If Sullivan wants to fix the system he should concern himself with ridding the courts of divorce settlements that define who gets the wedding china.

Sullivan finds some virtue in the fact that marriage makes it harder to abandon a commitment. But truly committed couples would not need the specter of "hardness of extraction" to keep them together. Sullivan should let the justice system work its magic and not worry if hetero- or homosexual live-ins are qualifying "at little personal cost for a vast array of entitlements otherwise kept crudely under control." Commitment can be nebulous even within the "prestige of traditional relationships."

SUE KURZMAN
Richmond, Virginia

To the editors:

Andrew Sullivan grants far too much understanding and civility to hard-line conservatives where homosexuality is concerned. Many refuse to acknowledge even the existence of homosexuals because they believe all people are naturally heterosexual. Heterosexual marriage, of course, is the only solution to homosexuality. Other conservatives are willing to admit we exist, but they insist on lifelong chastity.

Though Sullivan thinks that persecuting homosexuals is not an option in a civilized society, many hard-line conservatives consider it an obligation. Marshall Kirk and Hunter Madsen draw a bleak picture of this in their book *After the Ball*, and the homo-hating fulminations of electronic preachers, radio talk-show hosts, and such conservative pundits and politicians as Patrick Buchanan, Senator Jesse Helms, and Representative William Dannemeyer make it clear just how far America is from civilization.

CRAIG ALFRED HANSON
Bonsall, California

To the editors:

There are two bright spots that Andrew Sullivan overlooked. The Rite of Holy Union is performed in Metropolitan Community Churches across the land. Although these unions continue to be legally unrecognized, I don't think it much matters to the thousands of couples who "make a deeper commitment to one another and to society." The church also has strict rules regarding dissolution.

BILL MORRIS
Tampa, Florida

HUD's New Direction

To the editors:

Cries to "Abolish HUD" (August 21) or to promote wholesale elimination of federal safety net programs avoid the responsibility and real challenge of mounting a redirection in the war on poverty. The Department of Housing and Urban Development under my stewardship is resolved to redirect housing programs to the original intended beneficiaries, low-income residents, and away from the greedy and the influence-peddlers.

TNR suggests that this should be done in part through a program of tenant-based voucher assistance. I agree. But I do not want to be known as the "secretary of vouchers" alone. An array of municipal and state government and non-profit agencies must be enlisted to support the urban economic development and affordable housing opportunities that constitute the basis of our mission at HUD.

My approach to cleaning up public housing includes both making these communities livable and drug-free and maximizing opportunities for job creation, tenant equity and capacity building, and self-management. Contrary to your assertion, there are a string of resident management success stories that indicate the capacities of the poor to govern their own affairs and to visibly impact high crime, drug activity, and welfare dependency. At Chicago's Leclaire Courts, over 30 residents have been employed in the first year of its resident management program. This year HUD is helping to create over 50 similar programs. Whether local resident organizations and housing authorities adopt this particular brand of resident self-government will be

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GORB-AID

Should we help Gorbachev? It is a measure of the flux in the world today that the meaning of this question has changed over the past two years.

When first posed, it meant, "Do we want the Soviet Union to prosper under Gorbachev?" The answer was not at all clear. To begin with, the sincerity of Gorbachev's embrace of free speech and free markets was still widely doubted. Maybe it was all a trick, meant to lull the West into complacency, attract trade and loans, and reinvigorate the Soviet economy, after which the Communist onslaught would begin anew. Or maybe it was half a trick—the sinister use of freer markets to fuel a still totalitarian, and therefore ideologically hostile, regime. Or maybe economic and political freedom would indeed flourish, yet, for reasons unrelated to ideology, the Soviet Union would persist in its expansionist ways.

All of these hypotheses have fallen on hard times. Gorbachev's political reforms have gone too far to be gracefully reversed. In fact, they have far outrun his considerable, if misguided and ultimately inadequate, economic reforms. The spooky vision of a robust but repressive Russia has been replaced by the unthreatening reality of a politically more liberal but economically decaying Russia. It is getting harder and harder to imagine this nation gearing up anytime soon for a world conquest, regardless of the reigning ideology and regardless of whether Gorbachev survives politically.

Grave Western concerns taken seriously only a year ago have assumed an air of quaintness. Western bank loans, it was then feared, would buffer Gorbachev from tough guns-or-butter choices; by using the money to keep Soviet consumers pacified, he could afford to keep the Red Army in fighting shape. Sounded plausible. But now, with food scarce and the people's patience wearing out, no rational politician in Gorbachev's shoes would spend his money beefing up arms. Indeed, he is shifting resources from guns to butter about as fast as is politically wise. He has initiated significant unilateral military retrenchments, and, when asked by the United States to accept starkly asymmetrical conventional arms cuts in order to reach rough parity with NATO, he just about fell over himself saying yes.

So debate turns to the second, current meaning of "Should we help Gorbachev?" Now the question typically presupposes that we're rooting for him and focuses on more practical issues: Is there really much we can do to further his reforms? If so, is it worth the cost? Lately some Democrats have been trying to turn these questions into a dividing line between the two parties by answering with an emphatic yes. Before and after the superpower summit in Wyoming, they complained that President Bush wasn't doing enough for *perestroika*.

This is dangerous territory. Even the new, narrower phrasing of the question about helping Gorbachev carries much ambiguity. And this ambiguity is easily exploited by those in America who deep down want *perestroika* to fail.

Both phases of the debate over "help" have been muddled by the connotation of sacrifice—the idea that to help Gorbachev is always to give up something ourselves. Thus, the question of whether American banks should make market-rate loans to the Soviet Union has often been cast as an issue of "helping" Gorbachev. In fact, though, assuming that these banks exercised sound business judgment, unsubsidized loans would "help" the United States (by enriching its banks) even as they "helped" the U.S.S.R. Capitalism is a two-way street, after all. The question, from the American point of view, isn't whether there is a compelling reason to help the Soviets through free trade and finance, but whether there is a compelling reason to hurt ourselves by impeding trade and finance. As we've seen, it's increasingly hard to find such reasons.

Now that "helping" Gorbachev is considered desirable in principle, some Bush administration officials have started to boast that they're already doing it. They're negotiating arms control agreements that lighten Gorbachev's load, loosening export controls on Western high technology, considering a relaxation of trade restrictions generally, etc. Presumably this line is intended to defuse charges of inaction from the left, but it has succeeded mainly in arousing indignation on the right. With the administration referring to its arms control and trade policies as "help," hard-liners can cast them as misguided sacrifices. Thus, the more hysterical are scoffing at the idea of rewarding a man who is, after all, a Communist with "carrots" and economic "conces-

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sions." The less hysterical are making the probably valid point that arms control and freer trade are unlikely in themselves to save Gorbachev, so vast are his political problems. What unites the hysterical and non-hysterical is their tendency to play down the fact that these policies can be fully justified without reference to Gorbachev, in terms of immediate American self-interest.

So, at the risk of sounding tedious, let us repeat: a conventional arms pact will lighten America's load, as well as Russia's, and make Europe marginally more secure; freer trade with the U.S.S.R. will enrich American entrepreneurs. Granted, when it comes to high-technology exports in particular, prudence still advises that we refrain from exporting anything that's both hard for the Soviets to get and highly useful to their military. But many of the exports that the hysterics are screaming about—IBM AT desktop computers, for example, and hard-disk drives, both of which have been available at 47th Street Photo for years—are neither.

Of course, some of Bush's policies help the Soviets more than us. The envisioned conventional arms treaty, for example, cuts their defense burden more than ours. But that is only because they complied in making the larger "concessions" we demanded. This is the sort of paradox that can crop up in non-zero-sum games, such as arms races and international trade, in which both sides can win and both sides can lose. The overarching paradox is: by narrowly pursuing our self-interest, we can "help" the Soviets pursue theirs, and vice versa.

It is important that Democrats urging "help" for Gorbachev stress this narrow self-interest. Then, having established that the "concessions" they're advocating are no such thing, they can safely get grander, and talk about the happy overlap of our narrow, short-term interest (prosperity, a diminished military burden) and the world's long-term interest (the success of an economically and politically liberal Soviet regime with no apparent expansionist ambitions). Thus formulated, their arguments will be fundamentally immune from growing doubts about the Gorbachev regime's, and even *perestroika*'s, life expectancy.

But as it happens, honest Democrats will find they have little to say on this front. All partisan sniping aside, the administration emerges from the Wyoming summit with a roughly sound policy toward the Soviet Union. Conventional and nuclear arms talks are on the right track, though a necessarily long and tortuous one; the administration seems willing to grant most-favored-nation status (i.e., the most attractive trade terms available) to the Soviet Union as soon as its newly liberal emigration policies are codified in law; and Bush's proposal for radical bilateral chemical arms cuts, though made largely for show, could yield an important precedent: such a deal will demand creative and intrusive verification measures—a useful prelude to the next few decades, which will likely bring biological weapons that are scarier than chemical weapons by orders of magnitude. (The need to refine verification techniques is one reason that an immediate global ban on chemical arms is premature.) Bush has even made noises about bringing the Soviet Union into capitalism's great international institutions, such as the General Agreement on Tariffs and Trade.

If the Democrats want to sound enlightened and far-seeing, there are several things they can do. They can keep urging real aid for Hungary and especially Poland, both of which could benefit from truly sacrificial help—i.e., subsidies—in a way that the Soviet Union can't. And they can insist that Bush's high-profile pursuit of a chemical arms treaty be paralleled in a more consequential realm—outer space, where the incipient arms race could prove immensely wasteful and even catastrophic. Here, as with chemical weapons, verification is such a subtle business that experimentation needs to begin soon. The Democrats can also urge essentially effortless forms of "help" for Gorbachev—ensuring his access to Western economic expertise, for example. And, of course, they could perform a great public service by periodically reminding everyone of the obvious yet often forgotten fact that helping Gorbachev is usually helping ourselves.

NOTEBOOK

ADVICE TO THE DEMOCRATS, ONE: Last year, in the *Webster* case, the Reagan administration's solicitor general, Charles Fried, argued forcefully before the Supreme Court that *Roe* v. *Wade*, the abortion ruling, should be overturned. This year the Bush administration's solicitor general, Kenneth Starr, has announced he will file a brief but will skip the oral argument. Why? "I wouldn't read too much into it," explained a Justice Department spokesman. Pardon us if we demur. This is a typical Bush exercise in having it both ways. George Bush claims to believe not merely that *Roe* is incorrect (we agree with him on that), but that personhood itself begins at conception, which would make all abortion unconstitutional. (We believe state legislatures should be free to decide this democratically—and should decide in favor of choice.) Speaking to right-to-life groups, Bush has emoted about fetuses with the best of them. Now, in the post-*Webster* climate, Bush doesn't care to advertise his previously staked-out extremist position. He is joined in this new queasiness by many of his Republican colleagues. Republicans are caught between a rock and a hard place on abortion—between their core right-to-life supporters and the moderates they need to reach out to—and if the Democrats have any sense, they'll keep the squeeze on.

ADVICE TO THE DEMOCRATS, TWO: The congressional Democratic leadership has produced an alternative to President Bush's egregiously unfair, economically distorting, and revenue-losing capital gains tax cut. The Democrats propose restoring the deduction for Individual Retirement Accounts, and ending the anomaly by which the marginal tax rate drops from 33 percent to 28 percent at income levels of around $200,000. Unlike

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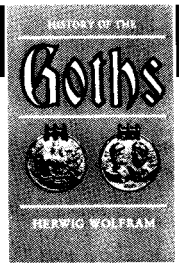

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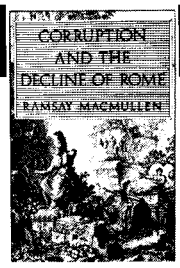

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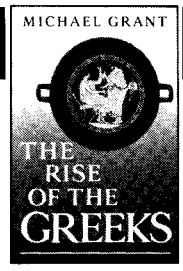

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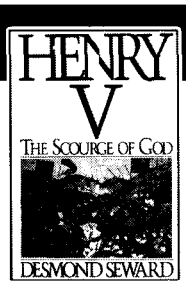

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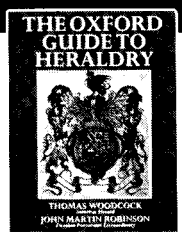

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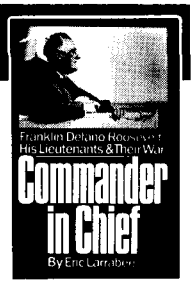

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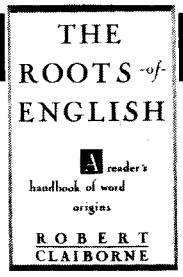

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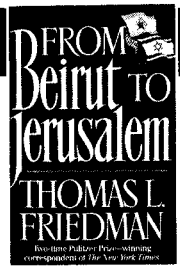

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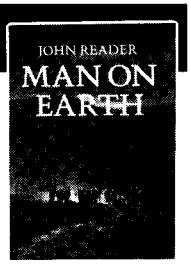

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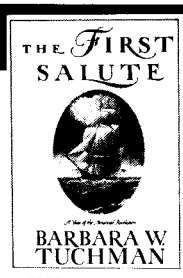

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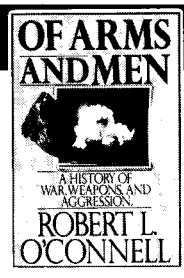

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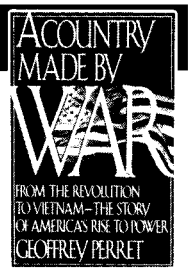

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Bush's plan, this proposal has the merit of fiscal honesty; it would even run a small profit, thus reducing the deficit. And raising taxes on incomes over $200,000 a year is obviously fairer than cutting them (which the capital gains plan would do, to the tune of about $25,000 *each*). However, it does seem unnecessarily noble to us for the Democrats to propose a tax increase of any sort—however reasonable—in the demagogic political climate created by Reagan and Bush. "After you, Alfonse," should be their iron rule. And the other change this tax increase would finance—restored IRA deductions—is dubious on its own merits. People with incomes under $50,000—about nine-tenths of all taxpayers—can deduct their IRA contributions already. A break for people making over $50,000 is fairer than Bush's break for people making over $200,000, but it is still regressive. And it won't do much to increase savings, either: most money in IRAs is money people were saving anyway. Furthermore, restoring the IRA deduction violates the premise of the 1986 tax reform—close loopholes, lower rates—thus undermining one strong argument against Bush's capital gains frolic. What we don't get is why it was necessary for the Democrats to offer *any* alternative to the capital gains proposal. It would have been easier to defeat this bad idea on its own (lack of) merits.

WHAT'S THE SCORE?

SAT scores of most ethnic groups improved in '89, College Board says

—*Boston Globe*, September 12

Scores on College Entrance Tests Fall

—*Wall Street Journal*, same day

Minority Students Gain on College Entrance Tests

—*New York Times*, same day

SAT scores take dip for women, minorities

—*Westchester-Rockland Daily News*, same day

SAT scores end '80s up

—*USA Today*, same day

College entrance exam scores slip to 5-year low

—*Chicago Tribune*, same day

(thanks to Louis J. Farina, Shrewsbury, Massachusetts; Carol Rackmales, Tarrytown, New York; Jack Rooney, Wilmette, Illinois)

SINISTER:

Study: Lefties may live longer

—*Chicago Tribune*, September 15

Southpaws left to ponder earlier death

—*Chicago Sun-Times*, same day

(thanks to Tracy Mohr, Chicago, Illinois)

BEAR WITH US:

At 70, the Bears Have Shed Their Nasty, Monster Image

—*New York Times*, September 10

Still Monsters of the Midway

—*Chicago Tribune*, same day

REMEMBERING MAXINE: We are shocked and saddened to report the death of our colleague Maxine Oakley, who died tragically, of a sudden illness, in the aftermath of Hurricane Hugo while vacationing in St. Thomas, the Virgin Islands. Maxine's friends at THE NEW REPUBLIC extend their sympathy to her family.

WHITE HOUSE WATCH

RIGHT CROSS

By Fred Barnes

John Sununu, the White House chief of staff, thought one of his thorniest problems had been solved. Sununu handles the presidential appointments that are politically hypersensitive. None is more sensitive than the chairmanship and new board members of the Legal Services Corporation, which allots about $300 million annually to local groups providing legal assistance to the poor. Conservatives had been fighting to eliminate the LSC almost from its creation (by President Nixon) 15 years ago. President Reagan tried in seven of his eight budgets to kill it. But the American Bar Association, a few Republicans led by Senator Warren Rudman of New Hampshire, and liberals fought to keep federal legal aid alive. In the end, Reagan and his conservative allies lost.

As a fallback position, conservatives were eager to influence President Bush's choices for the 11-member LSC board, especially the new chairman. Sununu figured he had just the chairman for them, M. Caldwell Butler, a moderate-to-conservative former U.S. representative from Virginia. Butler's name had been put forward by the conservative bloc in the House: Newt Gingrich, Henry Hyde, Robert Walker, Bill McCollum. Yet as a proponent of federal support of free legal aid to the poor, Butler was fully acceptable to Rudman, the Senate's point man on legal services. Rudman was convinced that liberals would go

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along happily with Butler. That's what he told Sununu, his old friend from New Hampshire. Sununu was thrilled.

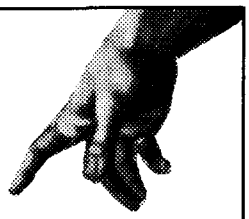
Conservative congressmen might have approved Butler. But the organized right, that battalion of conservative groups that lobby in Washington, hadn't. A dozen conservatives, none of them officials of the Bush administration, interviewed Butler, then rejected him. Sununu acquiesced, and now he's back to square one in finding a new LSC chairman. What's the big deal about all this? To me, the Butler episode shows three things. One, although the conservative lobby has lost influence in the shift from Reagan to Bush, it's still got some clout. It sometimes has a veto. Two, Sununu is increasingly the chief solver of political disputes in the administration. He is also Bush's emissary to the right, which means the right often wins when it's a disputant. Three, abortion is a powerful issue in the internal politics of the Bush administration.

Unlike Reagan, Bush could care less about the Legal Services Corporation. He's not against federal legal aid, or strongly for it. He just wants the issue to go away. For Reagan, federal legal aid was a litmus-test issue. When Reagan was governor of California, he and Ed Meese had fought to curb state-funded poverty lawyers who represented farm workers and aggressively challenged the state's growers. In Washington they turned their aim on the LSC. They found allies in conservative leaders like Howard Phillips, who insists that the LSC funds left-wing legal activism, and the American Farm Bureau Federation, the conservative farmers' group.

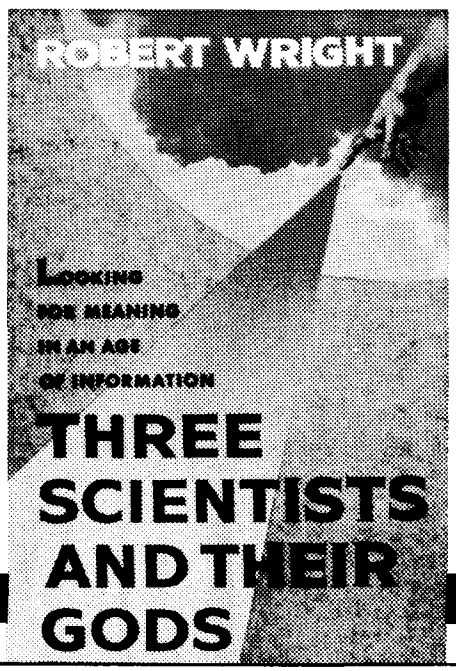
Having failed to kill the LSC, the conservatives changed tactics last summer. At the farm bureau's urging, they formed the Legal Services Reform Coalition, which includes the American Conservative Union, the Conservative Caucus, the Council for National Policy, the Media Research Center, etc. Its goal is to put conservatives on the LSC board (the terms of the current board members have expired) and sharper limits on what LSC attorneys can do for clients. The coalition was soon in for a surprise. In a June 30 letter to Bush, McCollum and the other House conservatives endorsed Butler. Coalition members complained bitterly to McCollum that Butler was too pro-LSC and pro-choice on abortion. Talk to Butler, McCollum replied.

On September 13 Butler flew to Washington from Roanoke, Virginia, where he practices law. Before he arrived, several of the conservatives tentatively decided to accept him as LSC chairman so long as Bush nominates a conservative majority on the board and Butler

"A SMASHING DEBUT...



If you've never read a whole science book through at one sitting, *Three Scientists and Their Gods* may change that. . . In format, tone, and panache, Wright's book takes popular science literature where few such enterprises have gone before." —Carlin Romano, *Philadelphia Inquirer*



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"[*Three Scientists and Their Gods*] is what devotees of Hunter S. Thompson might consider gonzo science writing, in which author becomes anti-hero on a mythological quest. With the bemused detachment of the skeptical inquirer, Wright turns his encounters into masterly portraits of three eccentric thinkers. . . They are perfect foils for Mr. Wright in his 'periodic attempts to find evidence that life is not devoid of meaning.'" —George Johnson, *The New York Times Book Review*

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wasn't too objectionable. After all, Sununu had assured McCollum that conservatives would be delighted with the nominees. And the conservative majority, not Butler, would set overall policy for the LSC and choose the new president to run it.

Butler demolished that plan. He didn't disagree with the conservatives' reform agenda: competitive bidding for LSC grants, further limits on filing class-action suits, and a flat ban on lobbying by legal service lawyers, even if they aren't using LSC funds, among other changes. But Butler said he isn't prepared to prod Congress now for statutory changes. In a letter a week later, he explained that he needed "an opportunity to consider them more carefully." He said he wouldn't want to "squander" his credibility with Congress "by going forward with proposals for which I did not have a substantial personal data base."

That posture irritated the conservatives, but it was abortion that sealed Butler's doom. He raised the issue on his own, saying he had never favored abortion and didn't have a "pro-choice" voting record in Congress. When asked if a legal services lawyer should sue a hospital that refused to provide a Medicaid abortion to a poor person, he said yes. The conservatives were astonished. In a letter to Butler on September 18, the conservatives said his position "represents a significant reversal of the present outright ban on LSC participation in any aspect of the abortion rights issue. In the wake of the recent *Webster* Supreme Court decision, this could reopen the universe of legal challenges on abortion-rights issues."

To McCollum, they were blunt. Butler was unacceptable. McCollum didn't argue. "Caldwell shot himself in the foot at the meeting," McCollum said later. "He failed the test." The congressman then had to inform Sununu, who was understandably disappointed. "But he understood we need to be looking elsewhere," says McCollum.

Before the Butler case, Sununu had coped skillfully with personnel squabbles between the administration and conservatives. He'd turned them into opportunities to court the right. When conservatives complained about two choices of Louis Sullivan, the secretary of health and human services, as assistant secretaries, Sununu sided with the conservatives. He did the same when Attorney General Richard Thornburgh wanted to name Robert Fiske, a New York attorney, as his top deputy. "Conservatives definitely regard Sununu as a friend in court," says David Keene of the American Conservative Union.

With the LSC, there's a wrinkle. Sununu has his best friend in Congress to satisfy, Rudman. In 1980 Rudman and Sununu were opponents for the Republican Senate nomination in New Hampshire. Rudman won, but Sununu ran his campaign in the general election. Eight months later Sununu announced for governor with Rudman's full backing. Now, when they're in Washington, they talk at least once a day. Rudman says that Sununu can't please the right with his LSC nominations. "It's a classic example of when you please one group, you won't please the other." If Sununu sends—rather, if Sununu has Bush send—hard-core conservative nominees for the LSC to the Senate, they won't be confirmed, Rudman says. "Ted Kennedy and George Mitchell and that group aren't going to confirm that kind of board."

Maybe not, but conservatives are happy enough to have knocked off Butler. After their meeting with him, they quickly agreed to oppose his nomination. As they left the meeting room, someone asked, "Who's going to call Nixon?" They all laughed at this. The former president is no fan of Butler, who voted in 1974 to impeach Nixon.

ON THE HILL

The Quick Fix

By Daniel Gross

The House Ethics Committee is about to launch a major investigation of Representative Barney Frank. The focus will be on parking tickets—the only aspect of the Frank saga that raises questions about abuse of office. Did Frank use his congressional authority to fix parking tickets that prostitute Steven Gobie incurred while using Frank's car on his seamy rounds? Or—as Frank insists—did he only fix parking tickets that Gobie incurred while helping Frank on official congressional business? This distinction will consume thousands of lawyer-hours and yards of newsprint.

But, as this journal has had many occasions to note, the real scandal isn't what's illegal—the scandal is what's legal. Suppose Frank is telling the truth. Are members of Congress really allowed to park illegally with impunity whenever they're on so-called official business? And if so, why?

It's true. The trouble of finding a legal parking place is yet another example of the duties of good citizenship from which (like the Civil Rights Act, for example) Congress has exempted itself. According to the District of Columbia Code, members of Congress may park their vehicles in "any available curb space in the District," provided they meet a few basic conditions: they must be on "official business," display the proper license plate, and stay away from loading zones and fire hydrants. Under the code, it is almost impossible for a member of Congress to earn a parking ticket, even if the car is at a bus stop, at an expired meter, too close to a stop sign, or left overnight at a two-hour parking zone.

The relevant section of the D.C. Code, by the way,

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was passed by Congress before the District got home rule in 1975. As if that weren't enough, a separate section of the code, also enacted by Congress, directs the District of Columbia to mark "appropriate and sufficient parking spaces" on streets adjacent to all public buildings for the use of members on official business. All members are assigned spaces at the Capitol and have two distinguishing forms of identification on their cars: a license plate from their home state and a second, smaller plate, usually placed on the dashboard.

What with the tags, special lots on Capitol Hill, spaces adjacent to all public buildings, and the D.C. Code, you would think that members of Congress would almost never get tickets. But they do, either because police officers fail to recognize the plate or because the violation is truly egregious—that is, in front of a hydrant. But it appears that many of these tickets get fixed. Indeed, says an aide to House Minority Whip Newt Gingrich, fixing tickets is a "commonly accepted practice" on the Hill.

The Capitol Police and a dozen or so legislative aides freely admitted that members of Congress fix tickets. There's even an institutionalized process for doing it. You simply send the tickets to the sergeant-at-arms of your respective house. Neither the two sergeant-at-arms offices nor the D.C. police cared to confirm what happens next, but presumably the tickets get forwarded to the D.C. cops, who wipe them off the books. But who makes sure that the ticket was actually incurred on official business? Answer: no one. "The assumption is that congressmen don't lie," an idealistic aide said.

Several congressional aides insisted that their bosses have a constitutional right to fix parking tickets. Father Robert Drinan, a former five-term representative (he held Frank's seat) and now a Georgetown University law professor, says unrestricted parking is an "immunity" that stems from the Constitution's speech and debate clause. That clause says: "The Senators and Representatives shall . . . in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same. . . ." Since a parking ticket is a form of arrest, the argument goes, this clause frees members of Congress from parking tickets while on the job.

According to another Georgetown law professor, William Eskridge, the constitutional argument is "ridiculous," because leaving a car at an unauthorized spot "is not an essential part of their legislative duties." The original intent of the speech and debate clause was to protect legislators from retaliation by high-handed 18th-century executives—i.e., monarchs.

Whatever the Framers' intent, carefree parking has evolved into a treasured congressional perk. At National Airport, where construction has radically decreased the number of parking spaces, 54 spaces in three separate lots are reserved for legislators. But according to an airport policeman, "They usually park wherever they want." Congressmen routinely leave their cars in the middle of the street and catch their planes. "The officer will give it a ticket, then they bring a tow truck and relocate it to one of the congressional lots." Not only do congressmen get free reserved airport parking, in other words, they get tip-free valet service. The tickets are sent to the D.C. Police, where, presumably, they are fixed.

Sony wants Columbia Pictures. What next?

JAPUN, INC.

By Joe Queenan

It is widely known that the Japanese dominate the U.S. market of economy cars, televisions, cameras, VCRs, audio equipment, fax machines, and semiconductors. Now they are quietly spreading their tentacles throughout another vital domestic market: satire.

In the past 18 months, dozens of amusing articles written by Japanese authors have found their way into such distinguished magazines as *Vanity Fair*, *Harper's*, *Esquire*, *Gentlemen's Quarterly*, and *Spy*. To their numbers must be added literally hundreds of outrageously clever op-ed pieces in the *New York Times*, the *Washington Post*, and the *Wall Street Journal*, written by authors with names like Junichiro Katsumara, Yukio "The Human Whoopie Cushion" Hirodaki, and Seiji Wannabe. Though no one questions the quality of the satire, American humorists complain that the Japanese are driving out U.S. writers because they are willing to work so cheap.

"This is dumping pure and simple," fumes Democratic Representative Bud Harper of Ohio, sponsor of a bill that would force the Japanese to open their markets to American satirists. "A top-flight American humorist expects to be paid around $1 a word for his material, with a 50 percent kill fee. But the Japanese will work for seven cents a word—and they're willing to do it on spec."

At least one expert on Japanese industrial policy agrees. "Japanese infiltration of the U.S. satire market follows a traditional pattern," says Yasunari Mitabata, author of *Samurai Stand-Up Comic*. "The first Japanese satirical pieces, which appeared around seven years ago in obscure skin magazines and tiny literary journals, were strained and clumsy. But the Japanese have worked hard to improve their sense of irony and pacing, and are now recognized as masters of the comic reversal of expectations. The fact that they work so cheap and never miss a deadline means that they will eventually force Garrison Keillor, Roy Blount Jr., and P.J.

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O'Rourke to go into another line of work."

Established American satirists concede that the Japanese produce impressive quantities of authentically witty material. But they note that Tokyo-based writers have yet to master longer, more demanding formats. "If you need 500, 600, even 750 words, these are the guys you go to," says Bingo Federko, president of Green Card, a Los Angeles booking agency specializing in placing material by foreign humorists. "But I'm not going to sit here and tell you that these guys are ready to hit the long ball." Nakamura Tanizaki, author of *Ninja Algonquin Wits*, agrees. "The Japanese satirist has no trouble with the wry op-ed piece or the lighthearted magazine essay. But he is not yet ready to produce the full-length comic masterpiece. My witty countrymen are good enough for the *Atlantic* and *Vogue*, but it will still be a while before we see them in the *New Yorker*."

Some American satirists complain that U.S. magazines are increasingly accepting inferior humor pieces by Japanese writers because of kickbacks. "That's hokum and bunkum," says former Commerce Secretary Robert Robertson, an investment banker who has arranged LBOs of several Japanese comedy magazines. "Americans aren't as funny as we used to be, and the Japanese have moved in to fill that void. If we're not careful, our grandchildren will grow up having to laugh in a foreign language."

Chick Geren, chairman of the U.S. Commission on Industrial Piffle, disagrees. "You have to remember that Japanese satirists work 18 hours a day and never see their wives and kids. If you go purely by productivity, on an hourly, joke-by-joke basis, there is still no one on the planet funnier than the American satirist."

Tanizaki warns that America's obsession with Japanese satirists may cause it to overlook a far more serious threat from an entirely different direction. "If you think Yukio Hirodaki is a hoot, wait till you read some of Kim Mae Sung," says Tanizaki. "Korean satirists blow the Japanese right out of the water."

JOE QUEENAN is a senior writer at *Forbes*.

POSTCARD POLAND

MISSING

By Antony J. Blinken

From the outside, Auschwitz could be Disneyland. An ice cream vendor does a brisk business. A girl at the souvenir stand tries to interest you in a ten-postcard assortment instead of the book you've inquired about. Tour guides lead flocks of visitors through the parking lot. The dining area appears full.

Inside, an immediate shock. Bold lettering on a stone wall informs the reader in a dozen languages that Auschwitz is now "a monument to the martyrdom and struggle of the Polish and other nations." This may provoke nods of sympathy from the 300,000 Poles who come to pay their respects here every year, but it leaves Jewish families grinding their teeth. Further along, thousands of pairs of eyeglasses lie in a huge display area. In another, masses of human hair, shorn from the heads of the gas chamber's victims after being discolored to a deathly gray by Zyclon-B, are piled ten feet high. Elsewhere, a mountain of suitcases, packed by people who were told they were to be "relocated." Names, printed large, stare out at you: Stein, Goldblatt, even a Frank from Holland.

The overwhelmingly Jewish nature of the Auschwitz horror is underplayed. Explanatory text accompanying the exhibits tends to universalize the tragedy. Tour guides do not, as a matter of course, take you to a building in the museum area dedicated to the war against the Jews. (At 4 p.m. my family was the first of the day to sign the guest book.) Nor is the real killing ground, Birkenau, usually on the itinerary. Yet this separate complex, located just down the road from Auschwitz and five times its size, was the site of most of the extermination. At peak efficiency, on one day in August 1944, 24,000 were murdered. Of those killed at Birkenau, about 90 percent were Jews. The Final Solution just about succeeded in Poland: fewer than 50,000 of its 3.1 million Jews survived the war.

This macabre numbers game should not be necessary to remind people of the central fact about Auschwitz-Birkenau in particular, and the death camps in general: their Jewish victims were systematically destroyed because of the blood running through their veins. Yet the passage of time makes such reminders, by any means, more critical. Survivors of the Holocaust grow older. "Revisionist" historians deny the genocide. Within the barbed-wire fences of Birkenau, the makers of the television miniseries "War and Remembrance" built replicas of the Nazi prison barracks, and, the filming complete, left them standing for future productions. The Holocaust may finally become a figment of (Jewish) Hollywood's imagination.

It is in this context that the controversy over the Carmelite convent just outside Auschwitz in a building that once housed the camp's stockpile of Zyclon-B must be understood. The Vatican's tardy endorsement of the 1987 agreement to move the convent has calmed the passions but cannot expunge the hurt. The visceral expressions of anti-Semitism from some Polish Church leaders prompted by the Carmelite controversy shock. The 30-foot cross and the "private property" sign erected by convent officials offend. These words and deeds are painfully ironic reminders that an institution now so interested

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in this place was all too indifferent when it might have made a difference. Auschwitz-Birkenau belongs to everyone, and to no one. It demands silence, out of respect for the martyrs.

Many miles to the northeast of Auschwitz is the city of Bialystok, a thriving center of Jewish life before the war. My stepfather, Samuel Pisar, now an American citizen and international lawyer, was born there. As one who endured Soviet occupation and survived the death camps, including Auschwitz-Birkenau, his story represents that of many who lived through the war.

Sam's father, David Pisar, smuggled dozens of Jewish children out of the Bialystok ghetto before being caught and executed by the Nazis. Today David is buried in a mass grave in a forest outside of the city, marked by a towering white cross. A large plaque says that "Polish" war heroes and resisters had been taken from the local Gestapo prison and shot to death there.

My 16-year-old sister, Leah Pisar, could not stomach the notion that her grandfather, murdered for being a Jew and for saving other Jews, was buried under a cross. She took a key from her pocket, and carefully scratched upon it a Star of David. The star is barely visible, and the cross continues to dominate the quiet clearing. But now, we all felt, David finally rests in peace.

ANTONY J. BLINKEN, a former TNR intern, is a lawyer in New York City.

Brand-name education.

First, This Message

By Stephen Bates

School's back, and you know what that means: more handwringing over Channel One, the daily classroom newscast that includes four 30-second ads. After the program's trial run last March, lots of educators harrumphed that there's no place for commercialism in the classroom. They should look again. The schoolhouse steps are teeming with corporations, interest groups, and non-profit organizations, all bearing messages they'd like inserted in the curriculum. Many schools are happy to oblige.

Start with reading class. The BOOK IT! National Reading Incentive Program, according to its promotional literature, "motivates children to read with an unbeatable combination—PIZZA and PRAISE." A student who meets a monthly reading quota can head for the neighborhood Pizza Hut, where he'll be "personally congratulated by the manager and given a one-topping Personal Pan Pizza."

Back at school, the honoree can analyze the pizza's nutritional content with software provided by the National Live Stock and Meat Board. Nutrition, in fact, is a particularly strong point of the corporate curriculum. Semesters could pass before a class screened the whole corpus of rent-free food films, which includes *The Amazing Orange*, *The Magic of Pears*, *Where the Cranberries Grow*, *The World's Favorite Prune*, *Peanut News and Views*, *Sugar—The Necessary Ingredient*, *The Great American Chocolate Story*, and *Discovering Roquefort*. Other food films tell how to bring turkey into "today's active lifestyle," why pressure cooking is "just about the quickest, safest, cheapest cooking method ever," and why "potato chips are not 'junk food.' "

Labor leaders complained a few years ago that schoolbooks depicted them as "revolutionaries, radicals, and bomb throwers." To counteract the bias, the Carpenters' Union offers props and scripts for "Builders of the Nation," a play about the union's history, and the International Ladies Garment Workers' Union provides an "inside peek at a fascinating industry" in the film *Who Makes Your Clothes?* From the other side, an organization called Concerned Educators Against Forced Unionism offers *The Springfield Gun*, a film about "a strike over compulsory unionism that led to the shooting of a ten-year-old child." Just the thing for the younger kids.

For more pointed career guidance, a student can run the software "The Choice Is Yours," produced by the American Farm Bureau Research Foundation. If he's not entirely sure he belongs in agribusiness—the software's favorite field—there's always oil. To introduce students to petrochemical engineering, Amoco is working on curricular materials featuring fun experiments like finding out whether oil and water mix. Free films about careers include *Coal People: A Century of Pride* ("it takes a special man or woman to be a coal miner"), *Pride on Parade* (a paean to Oscar Mayer's meat-processing employees), and *We Are the Parcel People* ("an inside look at UPS from its beginnings").

For health class, Personal Products Co. offers the film *Growing Up on Broadway*: "Every young girl will be reassured by the upbeat way Shelly Bruce and her female friends from the Broadway stage describe their own experiences adjusting to puberty and menstruation." A film produced by the Gypsum Association shows how gypsum products "protect life and property in a fire emergency." The National Rifle Association distributes coloring books in which the rather scary-looking Eddie the Eagle instructs kids on what to do if they come upon a handgun in the playroom ("Don't touch. Leave the area. Tell an adult."). The coloring book's double-meaning slogan: "Always Be Safe With Guns." If students are scratching as they color, maybe it's time to bring out Thomson Medical's learning kit *The Facts of Lice*.

How about current events? It's not just *My Weekly*

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THE ARTS AROUND THE WORLD

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Reader anymore. In an Eddie Haskell tone, *Reader's Digest* declares itself "an ideal learning tool for young people." *Newsweek* offers classes not only a subscription discount (48 cents per issue), but also free wall maps, atlases, booklets, and software. *USA Today* throws in a weekly lesson plan and quiz. There's even a monthly *Sports Illustrated for Kids*, whose "editorial content entirely its own" presumably excludes a swimsuit issue.

Tax dollars are at work too. The film *Communism* naturally reflects the view of its producer (U.S. Army) and era (1967). (More sympathetic alternatives come from the Soviet Embassy, including films about Soviet children [*Our Golden Childhood*], elderly people [*The State Takes Care of Them*], and women [*I Love My Land*]. Don't confuse the last with *The Land We Love*, an American film that teaches about land-title insurance.) The Census Bureau publishes classroom materials that explain the importance of an accurate national headcount. The Federal Reserve Bank of New York recounts its history in a comic book. NASA and the Air Force produce scores of free films, including, for no readily apparent reason, one that demonstrates "how to prepare attractive and tasty salads."

The organizations target curriculum supervisors or individual teachers as the gateway to the classroom. Some school districts restrict the use of sponsored materials, and a national education organization, the Association for Supervision and Curriculum Development, is at work on policy guidelines. Elsewhere, anything goes. Many teachers, especially in poorer districts, are grateful for the handouts. "Educators will spring for anything that's free," says Harriet Tyson, a former school board member in Montgomery County, Maryland. "They're always looking for new materials, and if they're glossy and glitzy, so much the better."

The subsidized materials aren't all bad, of course. Some reflect an agenda that the curriculum can adopt intact, such as the American Cancer Society's anti-smoking information. With a savvy teacher, even the most one-sided propaganda can become the basis of a discussion that will foster critical thinking. And some curricular materials aren't related to the sponsor's self-interest, at least not as brazenly as *We Are the Parcel People*. Metropolitan Life Insurance offers a film about getting a job, and Kraft General Foods has a new film about bus safety. Even there, though, companies may benefit from having their names and logos on screen with the credits. Some sponsors go further than that. The bus safety film stars General Foods' crooning cereal-pusher, Sugar Bear. The film's co-sponsor: the American Federation of Teachers.

A few months ago, when the New York Board of Regents nixed Channel One for the state, they expressed their distaste for "active commercialization." Passive commercialization went unmentioned.

STEPHEN BATES is the author of the forthcoming *If No News, Send Rumors: Anecdotes of American Journalism* (St. Martin's).

Comparative advantages.

GULAG CAPITALISM

By Richard Lourie

Now that the Soviet government will be paying farmers in dollars, isn't it time we did a little "new thinking" of our own? Shouldn't we be coming up with some innovative ways to pursue better relations with the U.S.S.R. through closer economic ties? The problem with this idea is the same as always—the Soviets have nothing we'd want to buy. We're already importing Stoli and, even with the best will in the world, there's only so much vodka you can drink.

The solution is to quit thinking solely in terms of goods—to pay more attention to the vast realm of services, the other half of everybody's GNP. For example, the overcrowding of America's prisons has resulted in many convicts being released before serving out their sentences. This has the doubly unfortunate effect of making a mockery of justice and returning dangerous criminals to our streets. But the taxpayer is in no mood to fund new prisons, and, even if they were somehow funded, he wouldn't want them anywhere near him.

Russia, meanwhile, has always been famous for its prisons. Even before the revolution, the country was known as the "prison house of nations." And after the revolution came the Gulag, which, as we know from Solzhenitsyn and others, was a fabulously far-flung enterprise. The Soviets must have considerable prison square footage at their disposal right now; they have released nearly all their political prisoners, and what once were economic crimes have become the order of the day.

Shipping off our most dangerous criminals to Soviet prisons would have any number of salutary effects. The very thought of doing three to five in Omsk Central might well act as a deterrent. Prison breaks would become a thing of the past in this country, since we would have to jail only the most mild-mannered of criminals—mayors, stockbrokers, etc. And any American escaping from a Soviet prison would either be quickly apprehended or return of his own free will after a couple of days.

How would the prisoners be transported from the United States to the U.S.S.R.? It wouldn't take much to transform Aeroflot into a fleet of prison planes. The drab color scheme and constricting seats are perfectly suited to the task. Many of the stewardesses already have the attitude of prison guards.

In paying the Soviets to house our prisoners we must, however, insist that our dollars be exchanged at the going rate on the Russian black market, the only reliable

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indicator of the ruble's actual worth. And, as good luck would have it, the dollar has never been stronger there. Some of the shady types who hang around in front of Soviet hotels could be retained as consultants and provided with the necessary computers, fax machines, etc.

Paying for penal services at the real value of the ruble will result in tremendous savings for us. Even so, the deal will bring a considerable influx of hard currency to Soviet coffers. The government can use these funds to pay farmers as well as purchase goods from us. We can immediately grant the government a huge line of credit, at a single stroke delivering ourselves from the shameful distinction of being the world's greatest debtor nation.

Skeptics might insist that this proposal, though bold, does not strike at the root of crime in America—drugs. Here too the Soviets can come to our aid. They seem to be serious about cutting back on military spending, but no matter how much they slice, they're still going to be stuck with a very large navy and air force. Why couldn't they patrol the seas and skies through which the drugs reach us? It would be a shame for all those MiGs to sit there and rust.

There's no end to "new thinking" once you get started. And what power it has! It can turn problems into solutions, transform an "evil empire" into America's salvation.

RICHARD LOURIE is the author of the novel *Zero Gravity* (Harcourt Brace Jovanovich).

A lesson in price-fixing.

COLLEGES IN COLLUSION

By Ian Ayres

A group of sellers—say, cement manufacturers—gets together to set the price for a ton of cement. Or the presidents of the ten largest cement manufacturers meet once or twice a year to set the size of discounts they will offer for their product. If their conduct is discovered, the cement companies are in trouble. They face civil suits for triple damages and even could go to jail for price-fixing. And the prosecution would hardly merit a mention in the back of the business section. The cement manufacturers' conduct represents a classic violation of federal antitrust law.

It is a bit troubling, then, that the Justice Department's recently revealed investigation of agreements among top colleges to fix financial aid awards—and possibly to set tuition charges—has been received with so much surprise and some criticism. Colleges have no magical immunity from federal antitrust laws. The Justice Department's investigation, which seeks to subject university presidents to the same rules that govern presidents of cement manufacturers, should be applauded.

The Justice Department is investigating whether a group of Ivy League and elite liberal arts colleges colluded to set both tuition and financial aid awards. The institutions have denied agreements to set tuition. However, some of them freely admit to meeting in committees to set uniform scholarship awards for college applicants who have been accepted by more than one school in the group. Because of the agreements, an applicant would receive the same financial aid offer from different schools.

Tuition and financial aid agreements would eliminate price competition among schools and accordingly run afoul of the Sherman Act's per se prohibition of horizontal price-fixing. An agreement to set the amount of financial aid is economically no different from a horizontal agreement among manufacturers to fix uniform discounts for their products. A scholarship is, in effect, a discount from the basic tuition price. The price of a college education—at tuitions that commonly run more than $15,000 a year at Ivy League schools—is a major consumer purchase that easily dwarfs the purchase of a new automobile. Collusion to limit the amount of discounts on college tuition injures the student/consumers just as much as collusion to limit sticker price discounts for new cars would injure driver/consumers.

The collusion to fix scholarship awards, if proved, constitutes a classic form of price discrimination: selling the same good (in this case, a college education) at different prices (varying financial aid packages). The goal of price discrimination is to separate consumers into groups that value a product differently and then to charge different prices to the different groups.

Normally, price-discriminating sellers are forced to use crude proxies for segregating consumers into different-valuing groups. Airlines, for example, charge higher prices for last-minute reservations on the theory that such purchasers are more likely to be on business and therefore are more willing to pay. Financial aid collusion, however, is a much more sophisticated form of price discrimination. Applicants are required to disclose detailed financial information concerning their own and their family's wealth. Colleges conspiring to extract the maximum amount of tuition from each student are thus given precise information to determine each consumer's willingness to pay.

The colleges are certain to argue that agreements to base financial aid solely on need serve to distribute limited scholarship funds more equitably. By agreeing not to grant scholarships to those who have academic or athletic prowess but can afford full tuition, the colleges can increase the opportunities of prospective students who could not otherwise afford a college education.

We should not, however, uncritically accept the explanations of colluding competitors. Collusion may al-

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low colleges to redistribute their financial aid "pie" to the truly needy, but it also reduces the total size of that pie. Indeed, it is hard to imagine that unrestricted competition for applicants on the basis of financial aid would reduce the total amount of financial aid being offered. Colleges wooing desirable students almost inevitably would increase the amounts spent on financial aid—in effect, lowering their price—to keep up with the competition. Agreements to eliminate financial aid competition can therefore reduce even the scholarship support of the truly needy.

The antitrust laws would not prohibit "reasonable" agreements among universities on issues other than amount of tuition, if the agreements generate significant cost savings. For example, colleges probably could continue to cooperate in developing standardized financial aid forms—a practice that benefits students by saving them the trouble of filling out multiple, cumbersome forms and that does not appear by itself to pose an antitrust problem.

Critics of the Justice investigation have displayed a surprising distaste for price competition. A recent editorial in the *Boston Globe* concludes that the "aid agreements, reducing if not eliminating money as a consideration, encourage [college] choice on a more germane ground." Shouldn't price be a germane ground for choosing among different products? If auto manufacturers colluded on price, consumers would be left to choose among cars on other—but hardly more germane—grounds. An administrator of Lake Forest College was quoted as saying, "Once you start allowing marketplace bartering, you've allowed your principles to go down the drain." But competition is itself an important value, enshrined in the antitrust laws. Although government interventions are sometimes justified to correct market failure, why should private institutions be allowed to supplant the market for one of the most expensive goods that a consumer will ever purchase?

Indeed, the Justice Department should perhaps go further. Concentrating on the Ivy League, it ignores an even more blatant form of financial aid collusion among universities. This is the National Collegiate Athletic Association. Member institutions of the NCAA openly agree to limit compensation to college athletes. No colleges are allowed to pay their athletes salaries, and smaller schools (such as the Ivy League and Division II) are even prohibited from awarding athletic scholarships. For many universities, NCAA sports are a major revenue source, which they maximize in a highly businesslike way. This makes the analogy to a regular business, which ought to comply with regular antitrust laws, even more compelling.

NCAA prohibitions against paying athletes have all the characteristics of cartel-like collusion to suppress wages. Individual firms (universities) attempt to chisel on the agreements by secretly paying their workers (athletes), and the cartel (the NCAA) seeks to discipline these chiselers by reducing their profits (e.g., by banning them from postseason play).

Yet the Supreme Court has hinted that it doesn't see things quite this way. A few years ago, when the Court struck down NCAA restrictions on competition for football television revenues, Justice Stevens stressed that "horizontal restraints on competition are essential if the product is to be available at all." The opinion asserted that the amateur status of the players made college football different: "In order to preserve the character and quality of the 'product,' athletes must not be paid . . ."

The Supreme Court's rationale is a bit puzzling. It is hard to think of another "product" in which consumer demand would be enhanced if workers were unpaid. But even setting aside nostalgic notions of amateurism, there is an argument that intercollegiate athletics has unique attributes. The Supreme Court noted that what the NCAA markets is competition itself: contests between competing institutions. There is evidence that fans value balanced leagues with teams of roughly equal ability. The NCAA rules prohibiting salaries thus might arguably serve to enhance the quality of competition by equalizing the quality of play. This, of course, doesn't explain why the cap on competition in paying college athletes has to be set at zero.

In any case, restraints on athletic scholarship are clearly distinguishable from the financial aid collusion at issue in the Justice Department's investigation. College football fans may care about how well the other teams in the conference play, but the quality of a Shakespeare class at Michigan doesn't depend on how well T. S. Eliot is taught at Ohio State. Thus, the possible legality of restraints on athletic scholarships does not justify collusion to fix financial aid awards for the broader class of college applicants. Markets don't always get it right, but the Sherman Act expresses a strong presumption that when it comes to protecting consumers' interests, we trust the market more than agreements among sellers.

IAN AYRES teaches law at Northwestern University.

The dregs of the Bush cabinet.

HALF WATT

By Bruce Reed

The secretary of the interior, Manuel Lujan, went on Alaskan television this summer to talk about the Exxon oil spill. For a man in charge of assessing the damage to hundreds of miles of coastline, he didn't sound terribly concerned. Lujan

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brought up last year's fire at Yellowstone National Park to point out the bright side of the Valdez disaster. "If the same experience holds true for Alaska that held for Yellowstone," he said, "your tourism should increase this year."

The bright side isn't the first place people usually look for Manny Lujan. In less than a year, he has already distinguished himself within the Bush Cabinet as the nicest guy, the most dutiful soldier, and in the words of the *Washington Post*, the "weakest link." At his confirmation hearing in January, Lujan said he could sum up his ten proposals for Interior with the acronym "STEWARDSHIP": "*S*tewardship, *T*erritories, *E*ducation . . . ," etc. Not only were Lujan's planks a bit thin—"*W*ar on Drugs," "*A*merica the Beautiful," "*R*esponsible, Efficient, and Ethical Management"—but he miscounted, and tried to make a ten-point plan out of a word with 11 letters.

DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

"He's like the ninth man in the lineup," one administration official says. "There's always a bit of nervousness when an issue is coming his way." On a visit to California last spring, Lujan praised a mining company's plan to restore the landscape by painting mine tailings the same color as the surrounding desert. Cyanide from the tailings could kill desert wildlife. But Lujan said the dye would "give it a natural look."

Lujan isn't the first interior secretary whose mouth got him into trouble. James Watt had to resign after criticizing a commission made up of "a black . . . a woman, two Jews, and a cripple." In 1987 Lujan's predecessor, Donald Hodel, suggested that the answer to depletion of the ozone layer was for Americans to put on floppy hats and sunglasses. But at least Watt and Hodel knew what they were doing. Lujan has no discernible agenda, no administrative experience, and, for a man who spent 20 years on the House Interior Committee, precious little feel for the territory. In his first session with the national press corps, a reporter had to explain to him that mining companies pay the government royalties on oil and gas but not on minerals. "We don't get any money?" Lujan asked. "Strike whatever I might have said about all that. I didn't know what I was talking about." Aides warned the press not to take the secretary's answers "too literally."

When George Bush said he wanted to be the environment president, Manuel Lujan is not what environmentalists had in mind. As a representative from New Mexico, he had one of the worst environmental voting records in Congress. He was a leader of the Sagebrush Rebellion—he once introduced a bill to open up federal land for shooting ranges—and a diehard Watt supporter. The Bush team wanted to name a true believer without giving the environmental movement another James Watt. They settled for a kinder, dimmer version.

Lujan had been passed over for the Interior post twice under Reagan. "They didn't need a Hispanic that badly," recalls one Republican official. But Bush owed Lujan a favor. The two men had become friends in the House in the late '60s, and when Spiro Agnew resigned in 1973, Lujan urged Richard Nixon to make Bush vice president. With his brother Ed, the Republican state chairman in New Mexico, Lujan campaigned for Bush in 1980 and 1988. Bush rewarded him with Interior because, he said, "Manuel knows the issues."

Bush announced Lujan's appointment the same day he named William Reilly head of the Environmental Protection Agency. The administration has sounded ambivalent about the environment ever since. Lujan tried to extend massive water subsidies to California farmers; Reilly maneuvered to block Interior until it studies the environmental impact. Reilly speaks out for wetlands protection; Lujan stumps for offshore oil development. Reilly wants an international workshop on global warming; Lujan wants to look for fossil fuels in the Arctic.

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Bush advisers thought this good-cop, bad-cop routine would keep everybody happy, but it hasn't worked to Lujan's advantage. Instead of coming across as a modest improvement over Watt, he looks like a Neanderthal alongside the glib, well-educated Reilly. Press accounts contrasting Reilly's aggressive style with Lujan's utter lack of one have stirred resentment at Interior. "Speaking fluidly and wearing Brooks Brothers suits does not make one a great Cabinet secretary," a Lujan aide says pointedly.

Environmental leaders give Lujan credit for being polite. "He keeps the door open, he listens, and then he votes against you," Jim Maddy of the League of Conservation Voters said when Lujan was appointed. But Interior's other constituents are satisfied customers. When I asked his press secretary who Lujan's friends are, he said, "Talk to just about anyone in industry." Lujan already knew how to please coal, oil, and gas interests: one-fifth of Interior's onshore royalties come from New Mexico. "He'll be better than any we've had," the president of the United Mining Council of America told the *Los Angeles Times* in May. "He is all man." In the wake of Valdez, Lujan seemed more worried about the spill's long-term impact on the oil business than on wildlife. He waited weeks to send Fish and Wildlife Service biologists to the scene, and told *USA Today* that the "most effective" cleanup method would be fishermen with buckets.

Despite the accident, Lujan remains adamant about opening up the Arctic Wildlife Refuge, which the department believes may have oil and gas reserves worth up to $150 billion. The odds are 4-to-1 against another big find in the Arctic, and there is one other problem: the oil would have to travel through the Trans-Alaska pipeline to supertankers at Valdez. Interior has decided in the wake of the Valdez disaster not to press the issue until next spring.

Lujan is less willing to bow to public sentiment against offshore drilling. He likes to boast that, thanks largely to the $3 billion Interior makes each year on offshore leases, it is the only government agency to turn a profit. Campaigning last year in California, Bush was careful to finesse the issue. Not Lujan. Even though he serves on a presidential task force on offshore drilling that won't make its recommendations until 1990, Lujan recently told a meeting of Western governors that "our answer to the current energy crisis lies just several miles offshore." Aides say the speech accomplished its immediate purpose by keeping the Senate from going along with a House moratorium on pre-drilling activities. But it also made waves in California and Florida, where politicians in both parties called on Lujan to resign from the task force. Republican Governor Bob Martinez of Florida wrote to express his "personal shock and dismay." The White House wasn't too happy either. Within a few days, Lujan was assuring reporters that his mind is still open.

Lujan's undoing is not all his fault. The administration has surrounded him with more than his share of political hacks. Take Barry Williamson, the 32-year-old head of the Minerals Management Service. Williamson apparently earned the right to dole out billions of dollars' worth of energy and mineral leases because he used to own an oil and gas company in Texas. Also: he chaired Bush's finance committee last year in Texas, and his father-in-law organized the Bush inauguration party. Then there's James Ridenour, a former racquetball club owner who was Dan Quayle's chief fund-raiser in 1980 and now runs the National Park Service. As director of Indiana's Department of Natural Resources, he encouraged developers to build a golf resort and wild animal theme park on a nesting ground for bald eagles. Ever the team player, Lujan has defended these appointments. He says, "All of the people they've sent me so far are capable of having my job, except that one's already taken."

Not for long, perhaps. Lujan suffered a heart attack a few years ago, and he was considered an interim appointment even before things started going badly. One scenario is that after two years, he will step down in favor of New Mexico Governor Garrey Carruthers. Carruthers is busily courting environmentalists in his home state, but one activist says his nomination "would run into an incredible fire storm" in Washington. Carruthers worked under Watt and was one of his main henchmen. The other leading candidate is Undersecretary Frank Bracken, who impressed some environmentalists while he was legislative counsel at Interior during the Nixon administration. As former chairman of a leading glass manufacturer in Muncie, Indiana, Bracken knows how to run an organization. He's a longtime Quayle supporter and used to be the Bushes' neighbor.

Lujan's staff insists that he has time to stage a comeback. They tout his decisions to ban the importation of elephant ivory, budget more money for new parks, and award the California desert tortoise endangered species protection. And Lujan claims Interior has hired more women and minorities than any other agency. Lujan also still enjoys a warm relationship with Congress, and even some environmentalists think he's the best the Sagebrush right will stand for.

In some ways, Lujan resembles the nice guy who finished last in the Reagan Cabinet: Sam Pierce, secretary of housing and urban development. Like Pierce, Lujan is a weak administrator, surrounded by inexperienced political appointees, making decisions that attract little interest from the public and mean big money to the private sector. Lujan isn't corrupt; he's just nice to the wrong people. The HUD parallel actually says more about Bush. For all his fishing trips and quotes from Teddy Roosevelt, George Bush can no more call himself an environmentalist than Ronald Reagan could say he helped the homeless.

BRUCE REED is a Washington writer.

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El Salvador still bleeds, anachronistically.

The War That Will Not End

By Charles Lane

SAN SALVADOR

The struggle for power in El Salvador now vexes its third American president. Forgotten by most Americans, the ten-year-old war between the government and the Farabundo Marti National Liberation Front (FMLN) is the focus of the United States' largest effort since Vietnam to save an ally from Marxist insurgency. Since 1980 the United States has spent $4.45 billion on El Salvador, about $900 million of it on military aid. Add $850 million in unsubsidized credits, plus possibly half a billion for the CIA's doings, and the investment could be close to $6 billion. Only five countries receive more aid each year than El Salvador, a nation of just 5.2 million people.

All that money has not yet bought success for U.S. policy here. Centrist forces led by José Napoleón Duarte have collapsed, and the former president is dying a tragic, unloved figure. The March presidential election was won by Alfredo Cristiani of the ARENA party, which is tied to the country's traditional elite and of which the most famous and influential member is Roberto d'Aubuisson, the extreme rightist and alleged political killer.

The guerrillas strike from one end of this miniature country to the other, and everyone is sick of the war, which has claimed 70,000 lives. Not long ago I visited the village of San Pedro Nonualco, set among green volcanic slopes just an hour's drive from the capital. Only 36 hours earlier, the town had been the scene of a clash between guerrillas and government forces that left several dead from each side scattered on the cobblestone streets. Afterward, both the army and the rebels peppered the area with propaganda leaflets urging people to take a side. Few shell-shocked residents seemed interested. "We don't know what this war is about," the local justice of the peace told me. "All we know is that it's hurting our town." Peace is the only political cause that commands a majority.

The guerrillas' latest offensive came on a diplomatic front. On September 11 the FMLN presented a three-stage plan to the government at a meeting in Mexico. Under the proposal, the rebels would negotiate a cease-fire and participate in municipal and legislative elections next year, in exchange for punishment of human rights violators, sweeping reforms of El Salvador's army, and changes in the constitution. They made no promise to disarm, though. The government agreed to talk again in Costa Rica in mid-October, the first in a series of planned monthly meetings.

The tantalizing new proposal and the promise of future talks raised hopes among Salvadorans that theirs would be the next Third World conflict to give way to negotiation. More likely, though, these events, following a bout of heavy fighting, herald a complex, volatile period that will be marked by both serious fighting and serious talking. The outlook should stir the United States to a reassessment of its policy here. It's overdue.

In large part, El Salvador is at war with itself today because it always has been. Overpopulation and a political culture tinged by extremism and violence have provided little basis for a just political order. In the 1970s El Salvador grew ripe for insurgency. There were widespread demands for political participation and social reform—a consequence, ironically, not only of poverty but also of a spurt of economic growth that had generated new social forces and raised expectations. The electoral fraud in 1972, in which the army stole victory from a center-left coalition led by Duarte, set off a cycle of repression that delegitimized the regime and pushed many to join armed Marxist groups with ties to Cuba.

A group of reformist army officers staged a coup in October 1979, hoping to head off a repeat of the Sandinista victory. The coup launched just enough reform to provoke the oligarchy and its rightist allies in the army into death-squad violence, while failing to satisfy militant popular movements linked to the insurgents, who sensed a chance to exploit the power vacuum. The army survived the rebels' "Final Offensive" of January 1981 thanks to repression and to the military weakness of the left's squabbling factions, which had just been brought under the FMLN banner by the mediation of Fidel Castro.

By now the United States had noticed El Salvador. From the outset, U.S. policy was marked by tension between those who emphasized military counterinsurgency and those who argued for reform and a democratic opening. In his last year as president, Jimmy

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Carter tried both tacks, waveringly backing the reform junta but also restoring military aid during the Final Offensive. The Reagan administration, however, vowed to "draw the line against communism" and leaned toward a military solution. Hard-liners in the White House and CIA talked of "winning the war first, then building a democracy." They ignored or apologized for death squads, which slaughtered some 25,000 people in Reagan's first three years.

By 1983 it was clear that this approach wasn't working. The FMLN, helped by fresh Cuban and Nicaraguan arms and training, mounted a fierce new offensive. "Pragmatists" in the State Department argued that the death squads were driving recruits into the FMLN, not to mention making it hard to sell military aid on Capitol Hill. They insisted that defeating the rebels depended on a legitimate political order based on elections, social reform, and respect for human rights.

The bipartisan Kissinger Commission, named by the president to find a more politically salable and effective policy formulation, endorsed the pragmatists' position. It recommended spending millions on a program of "human development," and conditioning military aid on an end to official murder and punishment of past human rights offenders. While the commission was finishing its report, George Bush, then vice president, went to San Salvador to say that high-level U.S. tolerance of death squads was over, and to demand a purge of the army's worst offenders.

Reassured by the administration's pragmatic tilt, Congress responded with $204 million in military aid to El Salvador in 1984. Later that year Duarte won the presidential election, defeating d'Aubuisson with the help of covert CIA money. The army, assisted by U.S. training and equipment, gradually ended massacres and stiffened militarily. Washington began to feel good about El Salvador. Nicaragua took over the headlines.

Since then, more has been accomplished than critics of U.S. policy usually concede. Though in deep financial trouble, the land reform program gave land to almost one-fourth of the rural population and politically undercut the guerrillas. The armed forces accept the necessity of civilian rule. The five most credible elections in the country's history have taken place despite guerrilla attacks. The presidency has been transferred from one elected civilian to another. The electoral process was opened to the leftist Democratic Convergence coalition, whose leading parties are allied with the guerrillas. On the right, ARENA has been obliged to adopt more moderate positions. Abroad, the legitimacy of the Salvadoran government is accepted.

Yet life here is still too hard and too violent to convince most people that the system works for them. The country has no working criminal justice system. Per capita income remains a third lower than it was ten years ago. Ninety percent of rural people lack access to potable water. Half the country lacks decent employment. Malnutrition and disease are rampant. Now young guerrilla recruits cite rural hardship rather than army atrocities as their reason for joining.

These failures are due in part to the difficulty, compounded by the 1986 earthquake and guerrilla sabotage, of building a viable economy in a backwater whose main cash crop, coffee, has faced bad weather and low prices. But corruption and incompetence under Duarte didn't make things any easier. Like many populists in Latin America before him, instead of mass political inclusion Duarte presided over new forms of cronyism. The new government recently obliged Duarte, while he lay dying of cancer, to return $100,000 in foreign earthquake relief money he had placed in a "foundation" under his personal control.

In many ways, the United States itself quietly backed away from the kinds of reform called for in the Kissinger report. Though pleased to have an elected Salvadoran president to lobby for aid on Capitol Hill, the Reagan administration began to push austerity measures that made it difficult for Duarte to fulfill the "Social Pact" he had promised workers and peasants. Duarte's vision of a cooperative-based society coincided with the report's recommendation that land reform be expanded, but clashed with the administration's private-sector bent. The United States began to downplay land reform and pump money into projects aimed at promoting agro-industry. Hundreds of millions have gone to bail out a private sector unwilling to risk its own wealth on its own country. The United States has sponsored millions of dollars' worth of business-oriented studies, seminars, and training of doubtful necessity—including over $3.5 million to teach Salvadoran "young enterprisers" the evils of government regulation.

Indeed, under Cristiani, the United States has aggressively and openly aligned itself with the Salvadoran business elite. Cristiani's economic plan was drafted by FUSADES, an ARENA-dominated think tank financed by the U.S. Agency for International Development (AID). In its first phase, the plan slashed credit and removed nearly all food subsidies and price controls.

The painful measures are supposed to help lay the groundwork for export-led growth based on a wider variety of cash crops. The free market model has given Salvador's traditional elite a plausible vision of modernization. But even many who agree that a financial housecleaning was a painful necessity have their doubts about the long-term objectives of the United States and ARENA. As long as the war continues, it is unlikely that El Salvador's wealthy will support the plan by bringing their money back from overseas. And the U.S.-backed plan is a political risk for a government based not on national consensus but on rejection of Duarte. Already the National Union of Workers and Peasants, linked closely to the Christian Democrats, has joined the National Union of Salvadoran Workers, an FMLN-leaning group, in a common front against

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ARENA economic policy. The FMLN has cleverly made lower prices a condition for a cease-fire.

The left will gain more ground if ARENA reverses land reform. (The ARENA-dominated court system has issued over 100 decisions awarding lands to their old owners, and the new economic plan raised land reform beneficiaries' interest rates.) Cristiani says that is not what he has in mind. He has made a show of giving individual titles to co-op members and says he simply wants to "privatize" the land reform. Few would argue that the neglect and corruption of Duarte's government have hurt production and left the reform's beneficiaries deep in debt. But "privatization" will protect them only if Cristiani and the United States follow up with credits, technical assistance, and other government services. Otherwise, many may be forced to sell out to big landowners.

The Kissinger Commission argued that death squads were as inimical to U.S. goals as the guerrillas. But the Reagan administration avoided human rights confrontations with the army, which it was showering with arms and prestige. In 1986 the U.S. Embassy let Duarte drop a U.S.-assisted kidnapping investigation of a right-wing colonel who also had a notorious death-squad history after powerful colonels resisted. U.S. officials in San Salvador helped Ollie North run his *contra* resupply operation out of the Salvadoran air force's Ilopango air base. This entangled a hard-line branch of the Salvadoran military in the administration's hottest covert project—in spite of Duarte's belated objections that doing so would bolster the right and undermine his case against Sandinista help for the FMLN.

To be sure, U.S. military aid, and the leverage it affords, have also contributed to changes in the army's behavior. The Salvadoran army is now a modern 55,000-man force led by a politically sophisticated chief of staff, Col. Rene Emilio Ponce. It no longer routinely commits massacres. Though political killings rose over the last two years, they remain well below the sanguinary standard set in the early '80s. No one doubts that the army's firepower and numbers in the field are sufficient to prevent outright guerrilla victory.

Yet the army remains very much a Third World institution. Corruption is commonplace, and incompetent officers are protected by a system that promotes by seniority, not merit. In recent conversations with U.S. sources here, three colonels in important field commands were described to me as unfit; one, in an area full of guerrillas, was said to be "sitting out the war."

Heavy weapons and air power do little against small groups of rebels. About half of the conscript soldiery—riddled with FMLN infiltrators—is devoted to defending fixed installations. Fewer than ten percent are trained and equipped for commando-style warfare. At San Pedro Nonualco, the government's forces didn't even show up until three hours after the guerrillas hit. Troops came barreling down the road in a pickup—smack into a deadly ambush. The unit's failure to take precautions was typical. By the time the army fought its way into town, the FMLN had slipped away. "It's inconceivable that we could be using such a stupid tactic that wastes both human and material resources," Col. Mauricio Ernesto Vargas concedes. "But change will be a gradual process." On September 2 the guerrillas killed 16 of Vargas's own men, their best day against the army in over three years.

The army's job would be easier if it could rely on a steady supply of intelligence from peasants. But it still behaves too roughly to win hearts and minds among the rural populace. Government forces and death squads were responsible for 55 targeted killings in the first half of 1989, according to the Roman Catholic Church's human rights office. Such killings appear to form a pattern of selective hits, sometimes gruesomely embellished by torture, aimed at FMLN suspects well-known to military intelligence.

On September 21, 1988, troops killed ten villagers in the hamlet of San Francisco, the first (and so far only) army massacre since late 1984. The U.S. ambassador to El Salvador, William G. Walker, seized on the case as a test of U.S. influence. Vice President Quayle was dispatched to tell the officer corps that such abuses jeopardize military aid requests. In response, the army took the unprecedented step of reversing its earlier denials. It turned over two officers to a civilian judge.

Yet the San Francisco case may also be viewed as the army's latest lesson for the United States in the limits of American pressure. One person present at the Quayle meeting told me that a colonel came out with a scrap of paper dotted with pencil marks. He had made a mark each time Quayle used the words "human rights." "Fourteen times," he laughed. The army reinstated the colonel in charge of the troops who carried out the massacre, and as the anniversary of the massacre passed last week, there has been little progress in the trial of the two officers. The fate of the case seems uncertain now that ARENA is in power. The influential air force chief, Gen. Juan Rafael Bustillo, recently said the military must take steps "guaranteeing officers and troop commanders that their actions will not be called into question," as those of Argentina's dirty warriors were.

In May there was a bitter fight over the powerful defense minister's job between Colonel Ponce, the choice of Cristiani and the U.S. Embassy, and General Bustillo, who is said to have been offered the job by d'Aubuisson. Bustillo sent jets to buzz military headquarters, and pulled his helicopters out of combat for a few days. Reportedly, his choices for vice ministers would have been two colonels who had been exiled for human rights violations at the United States' request. Thanks largely to U.S. Embassy mediation, this spat was calmed. But the issue could be rejoined in December. Though there has been no revival of ARENA death squads so far, and many analysts doubt there will be as

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long as the army maintains a monopoly on repression, such antics show the kind of trouble d'Aubuisson can create by making common cause with rightists within the army.

The FMLN, with 5,000 or 6,000 full-time fighters, has become the most tenacious guerrilla force in Latin America. The political conviction of its cadre seems to be greater than ever; only the truly dedicated could have outlasted the death squads and the prolonged hardship of clandestine military life—not to mention occasionally bloody internal strife.

The FMLN acts as a de facto local government in about 30 percent of the country. Though it probably enjoys some sympathy from no more than ten percent of the population, it has organized its base into an effective source of support. I recently visited an FMLN stronghold in eastern El Salvador. Food was grown for the rebels by peasants in what they called "the cooperative." Local boys ran messages to guerrilla hideouts. People helped make weapons, print propaganda leaflets, and tend the rebels' wounded; they regularly attended political meetings and even community dances arranged by the FMLN. Troops rarely entered, and were likely to encounter peasant members of the FMLN "clandestine militia" when they did. Probably only a massacre could root out this type of organization.

Over the last year the rebels have penetrated San Salvador itself. "Urban commandos" based on a volcano overlooking the city have mounted a campaign of sabotage that has cost the government millions and forced it to launch an extensive, and mostly futile, urban security operation. (Some U.S.-created "immediate reaction" units have been pressed into service guarding upper-class areas.) This poses a long-term problem; even the best armies find it hard to root out urban terrorism.

Also, the guerrillas have undergone their first substantial rearming in several years, smuggling in perhaps 1,500 AK-47 assault rifles and millions of rounds of Cuban ammunition. They also have received Dragonov sniper rifles, which they are using with some results against government helicopters. The FMLN claims that it has bought these weapons from the Nicaraguan *contras*, but few believe that, since the AKs the army has captured from the guerrillas are of East bloc manufacture and the CIA issued Chinese weapons to the *contras*. Still, the United States cannot prove its counterclaim that the guns come from the Sandinistas. In any case, the FMLN still has access to outside support, despite interdiction efforts.

The rebel army put its new firepower to use in a military offensive that began a year ago and peaked in the weeks just before and just after the March election. The FMLN undertook the campaign in the apparent belief that the double presidential transition in the United States and El Salvador provided a unique chance for insurrection. Joaquín Villalobos, a leading member of the rebel general command, repeatedly predicted a "social explosion" in El Salvador in 1989. One reason the general command went abroad last year (they have yet to return) was to be ready for crisis diplomacy as FMLN troops drove the army to its knees, according to a source close to the rebels.

The rebels made an imposing display of violence. They assassinated eight rural mayors. They killed five civilians with car bombs placed near military sites in San Salvador. Urban commandos assassinated five prominent rightists, and are widely blamed for the murder of another. They knocked out the capital's water and electricity supply during election week and hit army positions in 20 towns on election day. All told, the Catholic Church says, the guerrillas were responsible for 26 targeted killings of civilians the first half of this year, and killed another 24 people with explosives.

Yet as the offensive plods along inconclusively, it is apparent that the rebels too recognize that military action is yielding diminishing political returns. Their actions turned off the public, hurt the democratic left in the election, and alienated potential supporters abroad. The FMLN had to apologize for indiscriminate attacks in which civilians were killed, and took heavy casualties in its own ranks.

The FMLN's failure to generate new popular support at home follows untoward trends abroad. *Perestroika* has undermined Marxism and brought the end of Soviet backing for new Third World revolutions. There is an evident lack of sympathy for violent revolution among democratic Latin nations. And there is the example of the Sandinistas' ruinous clash with the United States. The Sandinistas and Castro remain friendly, but their capacity to help may be limited in the future by their own serious domestic troubles. A senior diplomat from a Latin country friendly with both the rebels and Cuba recently told me that the AK-47s, which will last for years, may be "a last gift" from Fidel.

Thus the FMLN is seeking to recast its politics to regain domestic and international support. The rebels haven't abandoned the war. They have shrewdly shifted emphasis to political and diplomatic arenas. Villalobos is the protagonist of this process of rethinking, known among leftists as "Vatican II." He has a deserved reputation as the rebel most dedicated to armed struggle, yet he has discovered the uses of moderation. "Insofar as the FMLN shows it carries the banners of peace, the banners of democratic change, and that its initiatives move the whole society," he told journalist Marta Harnecker in March, "there will be a greater foundation of the justice of its having risen in arms and maintained itself in arms."

In an article for *Foreign Policy* he promised to respect both political pluralism and U.S. security interests. He helped draft the guerrillas' peace proposal released last January 23. In it, the FMLN for the first time said it would support the presidential election if the vote were postponed six months and if the government met a series of other conditions, including the reform of

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the judicial system, reduction in the size of the armed forces, and the punishment of past human rights violators.

The FMLN's new proposal takes the January 23 plan several steps further. Now, instead of merely offering to support candidates of the Democratic Convergence in a vote, the rebels offer to convert themselves into a legal political party and run in elections next year, after a cease-fire. But a key purpose of the plan is still to cast the government in the role of political heavy, both within El Salvador and internationally. Brilliantly, the FMLN added to its conditions for an initial cease-fire a demand for the prosecution of the assassin of the former Archbishop Oscar Arnulfo Romero. This is a demand so plainly just that even the United States has sought it in the past—but now ARENA must refuse since d'Aubuisson is a prime suspect. "If [our plan] is rejected, fine, our war is more legitimate," Villalobos told Harnecker, referring to the January proposal. "If it is implemented, we are the guarantee that the process will be waged cleanly." This is why he pooh-poohs the idea that the FMLN should disarm, even after a cease-fire.

Not surprisingly, hard-line military officers dismissed the rebels' offer as a ploy. The FMLN is asking the army to reduce its forces by over 75 percent before it will put its weapons down—something no government would do. However, Cristiani wisely decided not to dismiss the offer out of hand, and it would be wrong for the United States and the Salvadoran government to refuse to talk further with the FMLN. In part, this is just political necessity. No government in El Salvador can afford to disappoint the country's longing for peace.

But it would also be irresponsible not to explore all possibilities for genuine progress. The guerrillas have conceded that elections may be a way for them to move back into the political system, and have outlined their terms. These aren't acceptable to the government, and it is unlikely that mutually acceptable terms can be found by next year. But there is plenty of time before the scheduled 1991 and 1994 elections. Perhaps the government could develop a set of security guarantees that would cajole the FMLN to put down its arms and participate during that time frame. Some leaders of Salvador's business elite, worried that their economy can't take another decade of war, support talks. Whereas they did not trust Duarte to defend their interests in dealings with the left, Cristiani is one of their own.

U.S. officials have always argued that the FMLN uses the idea of peace talks to gull Democrats and thus destroy the bipartisan consensus for aid to Salvador. Those fears seem even more exaggerated now. The consensus in Congress has held despite ARENA's victory. The rebels are likely to pay a high price if they try a double cross, especially if the government is seen to be talking in good faith. Trends that nag the FMLN—*perestroika*, the end of guerrilla romance in Latin America—strengthen the hand of a U.S. administration willing to devote time and ideas to negotiation, perhaps even by enlisting the cooperation of the Soviets or other Latin American countries.

In the meantime, the war is likely to intensify. The army is still bent on the guerrillas' defeat, and the guerrillas, at a minimum, want to show that they are dealing from strength. The United States should still push for better combat performance from the army, at least in part by making more of its aid contingent on the ouster of the most incompetent and abusive military commanders. One place to start would be the powerful air force, which needs an overhaul of its helicopter fleet but is also due for an overhaul of its notorious officer corps.

But as the guerrillas' own peace proposal seems to suggest, social reform and fair, effective government—not the army's clumsy might—would put the most pressure on them. One U.S.-funded program, Municipalities in Action, demonstrates this point. The program provides funds directly to mayors to build roads, bridges, schools, and provide electricity in rural towns, with better results than pacification programs that placed authority in the hands of military officers and bureaucrats. With a minimum of corruption, it brings jobs and services to people who need them most. The rebels don't like it, but attacking the mayors, or the works they build, backfires politically.

The program is no substitute for broader economic growth, and questions remain about how far it could be extended into guerrilla strongholds without getting the military involved. But ideally, the United States would reverse some of its current priorities and expand the money it spends on similar grass-roots health, education, and agricultural efforts. It would condition economic aid on laws forbidding the resale of land reform properties for a generation. And as it phased out subsidies to well-heeled businessmen and would-be junior enterprisers, it would fund credits and technical support to help peasant-run farms become more competitive.

For now, reforms that directly benefit the rural poor occupy too small a share of U.S. aid. ARENA and the army are unlikely tribunes of change. The guerrillas gamble that if they keep up the military and diplomatic pressure, the government will fail to better the people's lot—and be forced to repress. A surprising number of leading Salvadorans have told me recently that they think the guerrillas may yet have their day. If ARENA disappoints as Duarte did, they say, people may move left, voting for the Democratic Convergence in the next elections. Such a turn of events would lead to either a power grab by the FMLN or, more likely, a pre-emptive military coup—or a violent combination of the two. "This isn't almost our last chance," a retired army major said. "It is our last chance." If El Salvador's rulers will not make the most of it, there is little the United States could—or should—do to save them again. •

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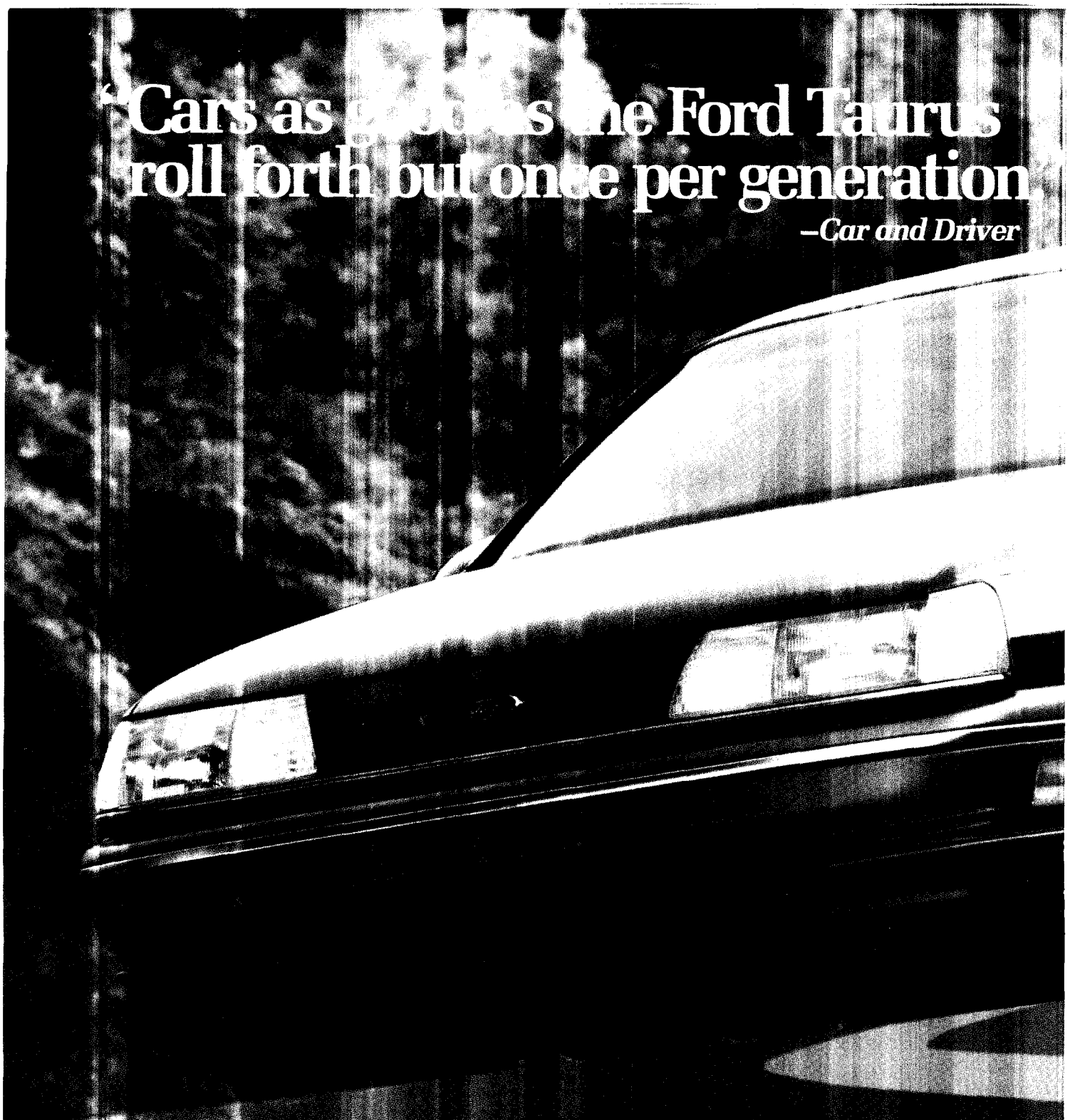

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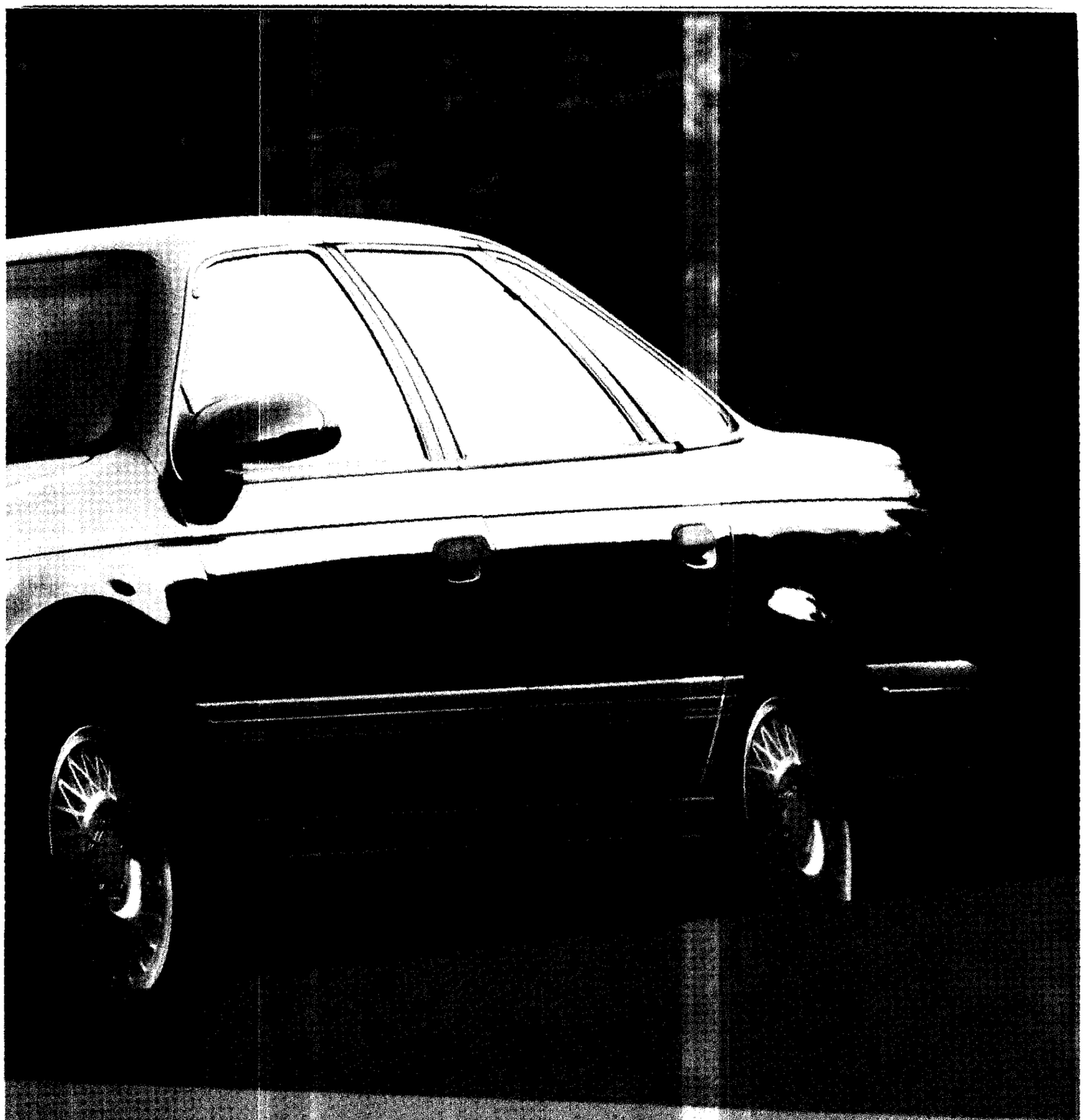

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BOOKS & The Arts

Stanley Kauffmann on Films

In Several Countries

Those who have been worried about Emily Lloyd can take some comfort from **In Country** (Warner Bros.). The young English actress breezed into the affections of many with her debut in *Wish You Were Here*, then moved to the United States and immediately hit a clinker in *Cookie*. This dull, trite Mafia comedy gave her a two-dimensional role that let her do little more than chew gum and snarl—in Brooklynese. Any bit player in Hollywood could have done it, and many have. Was this gifted young woman, who had showed her quality in a small-scale film, becoming one more crunch of the great golden studio jaws? Well, not yet, anyway. In this adaptation of Bobbie Ann Mason's novel, Lloyd plays the heroine, Sam, a character of some texture; and what the role offers, she fulfills.

Mason's novel, in its quiet way, is a daring work. It begins like one more piece of latter-day Southern realism, replete with details of chain restaurants, TV programs, rock records, and Pepsi. Only slowly does the fact filter through that the Vietnam War, now long past, is the real subject—the war, its effects, its aftereffects. Except those who know from the start that "in country" is soldier slang for "in Vietnam" and are thus aware of the title's double sense, readers must take Kentucky daily doings as the book's center until that center becomes only the context.

It was a risk for Mason to use this filtering approach, but the rewards are considerable. When the real subject begins to stand clear, we see it from the perspective of Sam and her family and friends, people quite without politics, who accept war as part of the occurrences of life, like marriage and childbearing and disease. This perspective makes Sam's hunger to know more about her father's death in Vietnam all the more exceptional and moving.

The filmmakers, however, took a look at Mason's oblique approach and evidently said, "The hell with *that*." They plunk Vietnam at us right off. The first shot is of American soldiers on patrol. For those who know the novel, this is disturbing because it negates Mason's intent and because it patronizes both the film medium and its audience—we need things explained from the start. But for *all* viewers, I think, the result is the same: the film becomes a familiar quest for the lost father instead of a slow-growing question in Sam—of people's acceptance of war as one of life's inevitabilities. The larger resonances are lost in the pat flashbacks that juxtapose then and now. The flashbacks even include the combat death of her father, though no other American saw it and though her knowledge of Vietnam is limited to what she gets from her father's diary and letters.

The screenplay was written by Frank Pierson and Cynthia Cidre, doubtless with the supervision of the director and co-producer, Norman Jewison. Jewison's career has fluttered around what were at least intended to be serious films, and generally his directing has been firm. *In Country* is no exception: the camera presses us closely into these lives and their dailiness. Almost half the film, it seems, is shot in fairly full close-up of one or two people, and often Jewison puts in close-ups of details, like an ashtray, a Dairy Queen sign, some food (the food is important in Mason's novel)—not because they are dramatically fraught but precisely because they are not. They are the geography, not the drama. After Lloyd's performance, the most impressive element in the film is the way Jewison saw it.

He made one dubious move in the casting. He chose Bruce Willis to play Sam's uncle, Emmett, a Vietnam veteran who is living a suspended life. Emmett is almost as important as Sam and is a counterpoise to her: knowledge versus innocence, resignation versus vitality, forgivable confusion versus forgivable clarity. Willis has little depth. When the buried torments in Emmett come to the surface, as in a thunderstorm during which he climbs a tree or in the finish at the Vietnam Memorial in Washington, Willis manages them fairly well; but most of the time the man in whom those torments are buried is only sketched.

Several others in the cast, admittedly in less demanding parts, brim with par-

FILMS WORTH SEEING

Four Adventures of Reinette and Mirabelle. *Eric Rohmer's style is mercurial. Here he controls it, to look with sympathy and wit into the friendship of two young women. (Reviewed 8/28/89)* **High Fidelity.** *Allan Miller, musician and filmmaker, explores the work and lives of the Guarneri Quartet. Fascinating and delightful. (9/18&25/89)* **sex, lies and videotape.** *Stillness, perception, evocation—these distinguish Steven Soderbergh's extraordinary first film about four young people in Baton Rouge. (9/4/89)* **When Harry Met Sally....** *The sort of brisk, bright dialogue that many of us spout in our fantasy encounters with the opposite sex. Plus lively acting. Entertaining glitz. (8/21/89)* **—SK**

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ticularized lives: John Terry as the auto mechanic who attempts an affair with Sam, Joan Allen as her mother, Peggy Rea as Sam's commodious grandmother.

The screenplay diminishes Lloyd's role because it states much that she could have evoked, but she brightens its corners. Equipped with her second American accent—a Southern twang after the Brooklynese of *Cookie*—she pushes through the picture like an inquisitive puppy, with pensive moments, quirks, and frolics. Her sex scenes have about the same intensity as her chats with her girlfriend, which is right for this girl to whom sex is only one more social activity, not any kind of apex. There is a sparkle in Lloyd of talent and of person. With persistence and with luck, she may make the most of them.

No sparkle in Michael Douglas. He is a modestly competent actor who has been in some big hits, so he is now a star. But his acting has never been much more than acceptable, and it is simply misguided to hang a big film on the power of his persona. Which is what **Black Rain** (Paramount) does.

Several years and many, many millions of dollars went into this picture. Odd how such facts never bother us when the film is good. (Who would fidget at the time and money expended on *Lawrence of Arabia*?) But it's what I started thinking of soon after *Black Rain* began. A New York detective, Douglas (in that same old Al Pacino role), and his partner are assigned to escort a Japanese murderer back to Japan. There the two detectives get involved in a war between that murderer's mob and another set of mobsters. The music thumps at the start of every sequence, and there are a lot of sequences, snaking along toward the end as we wonder whether the thing will ever finish.

It's the sort of film in which no trouble is spared to get every physical detail realistically right but in which there is small realism in action or character. The screenplay by Craig Bolotin and Warren Lewis is full of holes. Why would the head of a Japanese mob come to New York to kill people—in public, too—instead of sending a hit man? If I suspected that Douglas and his pal were being hoodwinked at the Osaka airport, why didn't they suspect it? How did Douglas get around that huge city without knowledge of it and, later, without money? And so infinitely on.

Ridley Scott is the director who made *Blade Runner* and is justly known as a pictorialist, but here some of his striking shots are counterproductive. An instance: one long sequence near the end takes place in a steel mill. Why all the close-ups of menacing machines and

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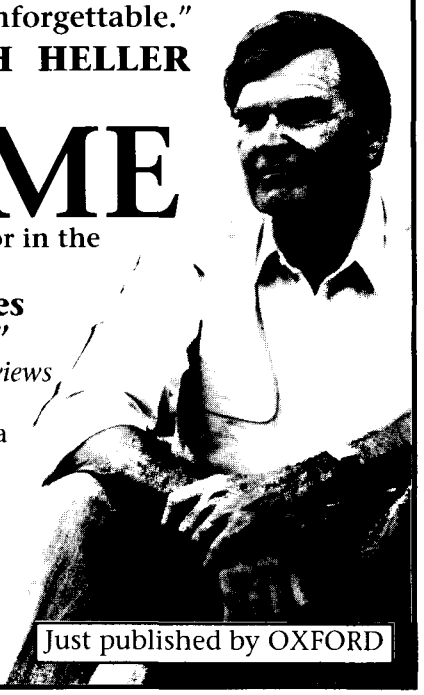

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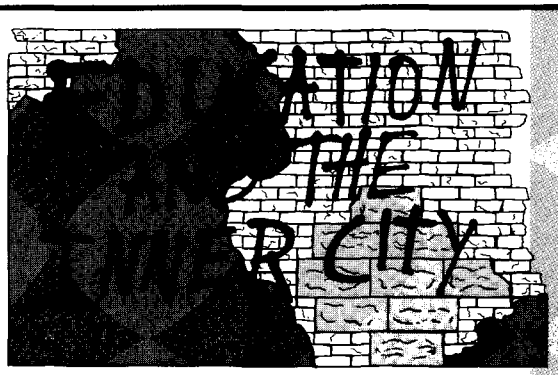

The American dream starts with education, but today the miserable state of inner-city schools is denying young people access to that dream. This Cato Institute conference will look at reform alternatives, including school-choice plans. Speakers will include **Robert Peterkin,** Milwaukee school superintendent; **Lawrence C. Patrick, Jr.,** president of the Detroit Board of Education; **Seymour Fliegel,** formerly of the East Harlem schools; **Lynne V. Cheney,** chairman of the National Endowment for the Humanities; **Joan Davis Ratteray,** president of the Institute for Independent Education; **John E. Chubb** of the Brookings Institution; and **John E. Coons** of the University of California-Berkeley.

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molten metal if absolutely no use of them is made?

The last action sequence between cop and killer in the Japanese countryside has some resemblance to the last action sequence in Kurosawa's *Stray Dog*. If Scott and his colleagues had that precedent in mind, they ought to have followed it more closely.

Update. Last week I noted that Marlon Brando had announced his retirement from films. This week he announced that he wants to continue in films. Stay tuned.

Henry Adams saw the skull beneath the skin.

The Seer of Lafayette Square

BY ANDREW DELBANCO

It is often said of the United States—sometimes to acknowledge its vigor, sometimes to sneer at its callowness—that it is a young country. As with any platitude, the force of this statement is weakened by its familiarity; but thinking about the span of certain American lives in relation to the age of the nation can help to restore it. W. E. B. DuBois was born during the administration of Andrew Johnson and died in the year that John Kennedy died. Buckminster Fuller was a child when the battleship *Maine* was blown up in Havana harbor and became a television personality during the Vietnam War. Speaking recently at the centennial celebration of his father's birth, Arthur Schlesinger Jr. recalled a friend, James Rowe, who was Justice Holmes's last law clerk, to whom Holmes declared that "there is one thing I want you never to forget. You are speaking to a man who spoke to a veteran of the American Revolution." Schlesinger explained: "Holmes, born in 1841, must have talked as a child to someone who 60 years earlier had banged a drum in the continental Army. The drummer boy, Oliver Wendell Holmes, Jim Rowe (who died only a year or two ago): there stands the history of the United States in three generations."

For Henry Adams, the history of the United States was in large part the history of his family. To encompass the period between the Revolution and the First World War, the Adams family required not three generations, but four. In the *Education* there is a moving account of John Quincy Adams walking his grandson, who had balked at going to school, "on a hot summer morning over a shadeless road" and planting him, "paralyzed by awe," in his schoolroom seat. "During their long walk he had said nothing; he had uttered no syllable of revolting cant about the duty of obedience and the wickedness of resistance to law; he had shown no concern in the matter; hardly even a consciousness of the boy's existence."

ANDREW DELBANCO, who teaches American literature at Columbia University, is the author of *The Puritan Ordeal* (Harvard University Press).

Henry Adams
by Ernest Samuels
(Harvard University Press, 504 pp., $25)

The Letters of Henry Adams, vols. 1-3
edited by J. C. Levenson, Ernest Samuels, Charles Vandersee, Viola Hopkins Winner
(Harvard University Press, 2,016 pp., $126)

The Letters of Henry Adams, vols. 4-6
edited by J. C. Levenson, Ernest Samuels, Charles Vandersee, Viola Hopkins Winner, with the assistance of Jayne N. Samuels and Eleanor Pearre Abbot
(Harvard University Press, 2,400 pp., $150)

There is in this little parable a wistful remembrance not merely of his grandfather as the laconic Yankee, but of a moment when the rules of civilization could be transmitted between the generations without having to be stated at all. For Henry Adams, who walked to school with the son of John Adams, and who in his last years grew fond of the young Eleanor Roosevelt, it was a gesture from the lost world into which he had been born: "Out of a mediaeval, primitive, crawling infant of 1838, to find oneself a howling, steaming, exploding, Marconing, radiumating, automobiling maniac of 1904 exceeds belief."

Even as Adams witnessed these transformations, from the silent rectitude of his grandfather to the brawling world of "gold bugs" and slum bosses, he spent his life protesting against his exclusion from the scene of action. Watching from the sidelines as America entered the modern world, he was a young man at Lincoln's inaugural ball when Washington was little more than a swamp town with streets mostly of mud. Thirty years later, visiting the Chicago Exposition of 1893, he found the "very winds sarcastic and . . . sardonic" as they blew between the skyscrapers. Beginning in his youth, his own obsolescence was his favorite theme.

All his life he found a kind of comfort in proclaiming his infirmity. When his friend Clarence King was committed to the Bloomingdale insane asylum, Adams felt "a new bond of sympathy" between them, "he for having been in the asylum, and I for expecting to go there." When his older brother John died, Henry declared in a letter to an English friend that it was "something more than a loss. It is a notice to quit." Adams was always looking for portents of disaster, and predicted, when it still required a lively imagination to conceive of carnage beyond the scale of a battlefield or a besieged city, that "someday science may have the existence of mankind in its power, and the human race commit suicide by blowing up the world."

Adams's life on the fringes of public affairs began in his early 20s when he went to England as private secretary to his father, who had been appointed ambassador by Lincoln (and who was the last Adams to be widely discussed as a prospective president). While his contemporaries across the ocean slaughtered each other in the first modern war, Henry passed his hours "in sleepy struggle with philosophers and political economists, varied occasionally with a walk, which ends sometimes in eating strawberries in Covent-Garden, or reading French newspapers at the Club." After the news reached London of the disaster at Bull Run, Henry wrote his brother (who was serving in the Union Army) that "I cannot stay here now to stand the taunts of everyone," but he was easily and frequently dissuaded from his intention to enlist.

After the war, and after he had achieved notice as a journalist, he was appointed to the editorship of the *North American Review* and made an assistant professor at Harvard. There he transformed the teaching of history by introducing seminars and a reserve system in the library, but he "detest[ed] large classes," and became "foul and abusive in my language to them, hoping to drive them away." Even as Adams complained of his oblivion, he remained a little churlish and frightened of the large audiences that wanted to hear him. He declined prizes for his great *History of the United States during the Administrations of Jefferson and Madison* (1889-91), as well as honorary degrees, and he sent his presidential

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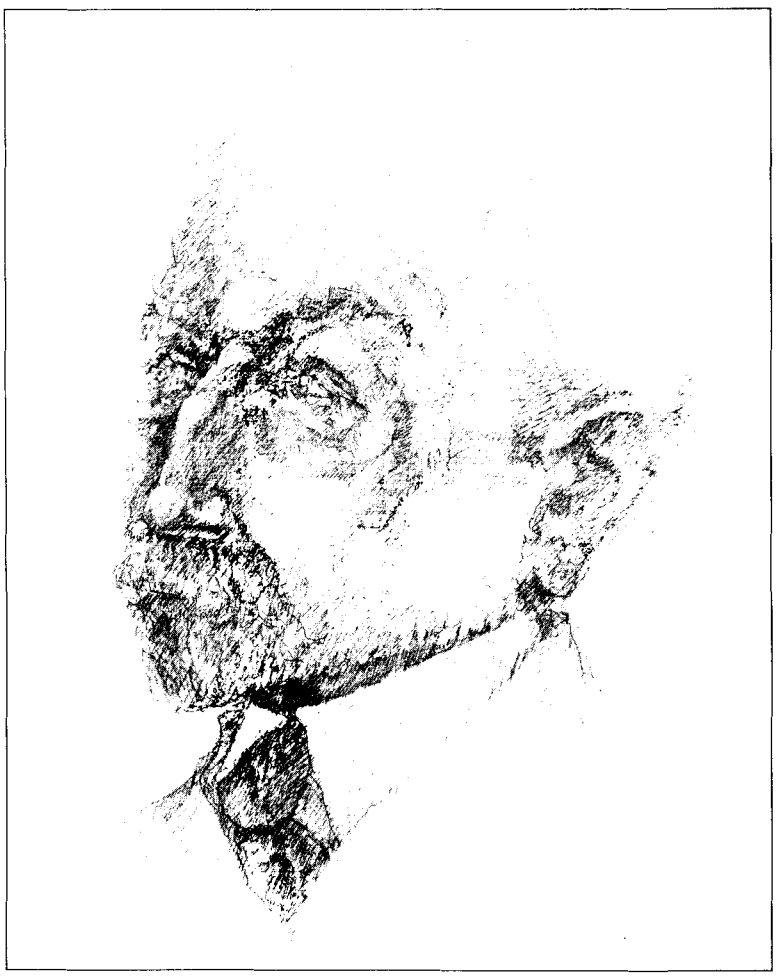
address in 1894 to the American Historical Association in the form of a letter from Mexico, where he was spending a well-timed vacation.

When Adams left Cambridge in 1877 ("the instruction of boys is mean work") and moved to Washington to observe the corruption scandals, he set up court as a kind of American Mme de Staël, and later built a house (designed by H. H. Richardson, with a green onyx fireplace and ornamented arches) across Lafayette Square, from which he could watch the White House. After Grant and Hayes were gone, his "pet aversion [became] Grover Cleveland, but he lives so near me that I can't throw a bomb at him without breaking my own windows." That was the way Adams liked it: being close enough to the center of power that action would be prohibitively costly to himself.

In later years Adams's friends called him "the old Cardinal" or "Porcupinus Poeticus," as his tone oscillated between a dignified jeremiad and a whine. Yet even in his self-indulgence as America's chief disfranchised intellectual—"I am torn between violent nausea of American politics, and strong desire to see the game played"—he spoke not solipsistically, but for a generation whose grip on the country was being loosened, who feared, not without reason, for its future. In 1865, when Lincoln was assassinated, Adams wrote to his brother in ingenuous fear: "The King being dead, what then? . . . Will the old set hold their ground, or is Seward and the long-lived race about him, to make way for a young America which we do not know."



DRAWING BY DAVID SCHORR FOR THE NEW REPUBLIC

In the years that followed Adams repeatedly answered his own question with tirades against the new business classes. Like many of his Progressive contemporaries, he regarded them as unwashed boors degrading the country. In his 1870 article on the effort by Jay Gould and James Fisk to corner the gold market (abetted, they thought, by Grant), Adams described Gould as having a "nature [that] suggested survival from the family of spiders: he spun webs, in corners and in the dark," and Fisk as "coarse, noisy, boastful, ignorant, the type of a young butcher." Later in life, Adams subsumed all such manipulators under the simple category "Jew." (His anti-Semitism, which was, in Richard Hofstadter's phrase, "jocose and rather heavy-handed," made him suspicious of Dreyfus, but did not extend to such connoisseurs of the threatened culture as Bernard Berenson, to whom he wrote with courtly appreciation for sending him manuscripts of medieval music.)

Adams's economic opinions were somewhat inconstant. Once he had been a hard-money man, but he was converted to bi-metallism under the sway of his brother Brooks's theory that the greedy rich would always favor contraction of the money supply and thus incite social anarchy among the laboring poor—the result being a continual cycle of repression and social revolution. Thus, in the 1890s, when financial crisis triggered social unrest across the country, Adams was as disgusted with "Dictator Debs" as he was with Cleveland's decision that "the government can safely use the army to shoot socialists." Such was the story of all Western history: stability was an elusive goal. (He considered the Bryan campaigns hopeless.) "As I am a constitutional pessimist," he wrote to John Hay in the 1890s, "and an anarchist by historical conviction, I see no way out of our mud-hole, and wait for you to bring me light and joy." This solicitation was made when Hay was already what Adams called a "valetudinarian."

The Adamses themselves were not immune to the booms and the busts. Charles Francis Jr., Henry's older brother, was president of the Union Pacific Railroad, and was badly hurt by the Panic of 1893; and "my brother Brooks is always scared blue by the fear that the public will devour his last shilling and sit on him in the gutter." In the midst of the panic, Adams took note of the fact that gentlemen (in this case, a prominent shoe manufacturer who was a guest at the summer house of the Lodges) were beginning "daily [to] commit suicide off [the] rocks by walking into the water with their clothes and hats on." A conservative investor himself, Adams commented on this "usurer's world" with a Thoreauvian contempt: "I found Boston standing on its head, wild with terror, incapable of going to bed and brushing its weary old tusks in the morning; all this only because no one could get any money to meet his notes." At other times he sounds like something between Henry George and a Populist rabble-rouser (with the difference that his international perspective made London, rather than New York, the seat of satanic intrigue):

> The radical trouble is that man is by nature a liar. The London Times, in the thirty-eight years I have known it, has never once told the truth, unless it was on indifferent matters. The press is the hired agent of a monied system, and set up for no other purpose than to tell lies where its interests are involved. . . . The Church never was as rotten as the stock-exchange now is. . . . The trouble is that the whole thing pivots on London.

By the end of his life, Adams saw the United States overwhelmed by organized greed—and by the human fodder of that greed, the immigrant workers who drove down the price of labor,

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swelled the markets, and changed the cities beyond recognition. He heard them "snarling a weird Yiddish to the officers of customs," and, at the turn of the century, looking

> out the club window on the turmoil of Fifth Avenue, [he] felt himself in Rome, under Diocletian, witnessing the anarchy, conscious of the compulsion, eager for the solution, but unable to conceive whence the next impulse was to come or how it was to act. The two-thousand-years failure of Christianity roared upward from Broadway, and no Constantine the great was in sight.

This was Henry Adams as he is most often caricatured, and as he parodied himself: the weary New England kibitzer, the last of a beaten breed that would soon give way to a new group of intellectuals with different pedigrees (Croly, Mencken, Lippmann) who were more attuned to the energies of the new age, for whom the New England heritage was merely one attenuated branch of the genteel tradition. This version of Adams was well represented recently by Wallace Shawn in the television production of Gore Vidal's *Lincoln*—a slightly fey young cynic hanging back at the edges of the inaugural ball, curious about Lincoln because "if he should fail, there will no longer be a country. And since my family believes that we invented the whole thing, I'd certainly like to see what becomes of the remains."

Thinking of himself as the weakened scion of a once robust New England family, it was as if Adams were determined, before the fact, to fulfill his friend Henry James's prophecy that after "the subsidence of [the] great convulsion" of Civil War, "the good American" (by which James meant someone with an absorptive consciousness like his own) "will be, without discredit to his well-known capacity for action, an observer." For Adams was always and everywhere the observer; and, on the evidence of his astonishing letters, he wrote most of his observations down.

Sending home impressions from Tahiti, where he traveled with the painter John LaFarge, he "would be absolutely immersed in his letter-writing," even as an oiled young girl squatted on the mat beside him. Apparently celibate after the suicide of his wife, he remarked on the unseemliness of late-life sexuality, and displayed an almost voyeuristic fervor in his unconsummated passion for Elizabeth Cameron, who became, in later years, a kind of madonna to whose sensibility he appealed for confirmation of his own. He reveled in his indignation and his discardedness as if he were a stranded time traveler: "When one cares for nothing in particular, life becomes almost entertaining. I feel as though I were at a theater—not a first class, but a New York theater." In the *Education* he refers to himself—always in the third person—as an 18th-century man and builds his narrative on the theme of his own anachronism. "Do you suppose," he wrote to an English friend in the 1860s, "that I had any news to tell you that was *not* about myself."

Throughout the extraordinary letters, which have now been superbly edited in six plentiful volumes, we can follow Adams's "education" without what Lionel Trilling called "the excessive elaborations of irony" that characterize Adams's late retrospective writings. The whole life is here: the college boy's travels on the Continent; the bewildering years in London, when young Henry expected to find an anti-slavery nation of Wilberforces, but discovered instead that the British government was cannily measuring the risk of cotton shortage against the prospect of an export market without tariffs. (Adams concluded that "it is never the hope of a future good . . . that actuates people.") In the 1870s he made himself a kind of public stenographer in Congress—as Samuel Johnson and Charles Dickens had done in Parliament—watching the legislators behave as paid agents of big business, and publishing their actions to the world. "For once," he felt, he had discovered a way to affect the national life while remaining the uncontaminated observer: "I have smashed things generally and really exercised a distinct influence on public opinion by acting on the limited number of cultivated minds."

The letters enable us to feel as well the strain of writing the *History*, a narrative of strife between Republicans and Federalists, written as if to recapitulate the late-life rapprochement between Jefferson and Adams's great-grandfather John—in which Jefferson is carried along against his instincts by the ineluctable growth of national power. During the years that Henry, with his wife Clover, ran the liveliest salon in Washington, the letters were cheerful, bristling, and acerbic, and emerged almost daily. When, after her death, he stayed on as an owlish commentator on the political scene, he used his correspondence as a lifeline to his vanishing New England world.

If the private life, which is muted in the public writings, stands before us in the letters, so does the sheer power of Adams's mind as he applied it (after he ceased writing historical narrative) to the philosophy of history. In his *Letter to*

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American Teachers of History, he repeatedly invoked a dramatic fraction in which he found an analogue to the old Calvinist dogma of man's insignificance—that the Earth (according to contemporary physicists) intercepts only 1/2,300,000,000 of the total quantity of solar heat. The incalculably larger remainder is dissipated into the vacuum of space, convincing astronomers that the sun "should be held to a sort of moral accountability because it utilizes" so little of its energy "on any known work, and degrades the rest indefinitely into space." In Adams's fascination with this Pascalian image of the prodigality of the cosmos, we arrive at the most characteristic exercise of his mind: the effort to find moral meaning in the bewildering phenomena that modern science was making visible to man.

Adams mused in the *Education* that "except as reflected in himself, man has no reason for assuming unity in the universe, or an ultimate substance, or a prime-motor. The a priori insistence on this unity ended by fatiguing the more active—or reactive—minds; and Lord Bacon tried to stop it. He urged society to lay aside the idea of evolving the universe from a thought, and to try evolving thought from the universe." The trouble was that although man had banished God (an older name for "ultimate substance"), he had not—despite the Copernican revolution—truly convinced himself of his own marginality. His inductions about the workings of the universe were always obstructed by his sense of himself as telos, as, in the language of evolution, "the last term of a series beyond which . . . no further progress is materially possible."

What Adams saw, as he tried to grasp the implications of contemporary science, was that everything pointed to the truth of the second law of thermodynamics: that within closed systems energy tends constantly to dissipate as heat. That "the second law of thermodynamics rules biology with an authority fully as despotic as it asserts in physics" is confirmed for every man by his knowledge of his imminent death. That the same law is ratified by history had not yet, Adams thought, been systematically shown, but it is, he was sure, the instinct of every true historian to believe it.

Thus "the greatest historical work in the English language is called 'the Decline and Fall,' " and it was upon this work that Adams had modeled his own *History*, in which he meditated (with explicit homage to Gibbon) on the illusion of progress in the early American republic. There is even a way in which Adams seemed (long before he found his

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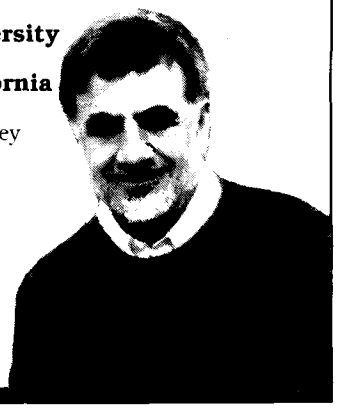

analogies in science) to conceive of American history as the dissemination of democratic energy to the world, with a consequent exhaustion at home: "when all the world stands on the American principle," he writes at the end of the Civil War, "where will be our old boasts unless we do something more." More broadly, when man "felt his own feebleness, and he sought for an ass or a camel, a bow or a sling, to widen his range of power, [it was] as he sought a fetish or a planet in the world beyond."

But all of Adams's experience led him to feel that the spiral of history was downward. He filled his late essays with graphs and charts to illustrate this point. He read Max Nordau's *Degeneration* (1893) with approval, and would have, I am sure, greeted Spengler with assent. He had always been skeptical of the progressivist implications of evolutionary theory. Now he noted with satisfaction that "the Darwinist no longer talks of Evolution; he uses the word Transformation," a much more neutral term for change:

> In strictness, no doubt, water which falls and dynamite which expands, are equally degraded energies, but the mind is repelled by the idea of degradation, while it is pleased by the figure of expansion. Because an energy is diffused like table-salt in water, it is not rendered less useful at all to an animal like man whose life is shut within narrow limits of intensity, who sends for a physician if his temperature rises a single degree, and who dies if it rises or falls 5° centigrade; whose bath must be tempered and his alcohol diluted; and whose highest ambition is to train and temper his own brute energies to obey law. Notoriously civilization and education enfeeble personal energy; *emollit mores*: they aim especially at extending the forces of society at cost of the intensity of individual forces. "Thou shalt not," is the beginning of law. The individual, like the crystal of salt, is absorbed in the solution, but the solution does work which the individual could not do.

This Emersonian passage is sanguine in its piety toward the transforming universal force that matches every loss with a compensatory gain. But it is not Adams's final credo; it is a prologue to his belief that the new forces—the dynamo he saw at the Chicago Exposition in 1893, which "delighted me because it was just as chaotic as my own mind," and the X-rays from the "supersensible" world of which he began to be aware after the Paris Exposition of 1900—are evidence of chaos within nature itself.

In his letter to the American Historical Association in 1894, Adams called for a science of history, but he warned that it would be resisted as a scandal by all the vested interests—by the church (with its commitment to the idea of providence); by the state (with its commitment to establishing the conviction that it represents the "natural" rights of property); by the socialists (who held to the idea that history was evolving toward rationality). But the real scandal of Adams's "scientific history" was to consciousness itself: the idea that the little world of man was merely a short-lived offshoot of purposeless fire.

William James, among others, had little patience for Adams's apocalyptic temperament, and for his desire to extend the apparent laws of physics to the history, and destiny, of consciousness:

> The *amount* of cosmic energy it costs to buy a certain distribution of fact which humanly we regard as precious, seems to be an altogether secondary matter as regards the question of history and progress. Certain arrangements of matter *on the same energy-level* are, from the point of view of man's appreciation, superior, while others are inferior. Physically a dinosaur's brain may show as much intensity of energy-exchange as a man's but it can do infinitely fewer things, because as a force of detent it can only unlock the dinosaur's muscles, while the man's brain, by unlocking far feebler muscles, indirectly can by their means issue proclamations, write books, describe Chartres Cathedral, etc., and guide the energies of the shrinking sun into channels which never would have been entered otherwise—in short, *make* history. Therefore the man's brain and muscles are, from the point of view of the historian, the more important place of energy-exchange, small as this may be when measured in absolute physical units.
>
> The "second law" is wholly irrelevant to "history"—save that it sets a terminus—for history is the course of things before that terminus, and all that the second law says is that, whatever the history, it must invest itself between that initial maximum and that terminal minimum of difference in energy level.

And Henry James, too, in a beautiful letter written near the end of both their lives, rebuked his old friend: "*Of course* we are lone survivors, of course the past that was our lives is at the bottom of an abyss—if the abyss *has* any bottom; of course, too, there's no use talking unless one particularly *wants* to. But . . . one *can*, strange to say, still want to— . . . You see I still, in presence of life (or of what you deny to be such,) have reactions—as many as possible . . . "

These wonderfully sanative responses of the James brothers have the effect of making Adams seem a brooding misanthrope, but one should resist the indictment. In his own courageous way, Adams was driven by the peculiar spirit that has always both inspired and afflicted the

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greatest American writers: by an unembarrassed willingness to express the child's horror at the ubiquity of death; by the urge, as if in bedside prayer, to speak directly with God; by the cranky refusal to study mere manners and deportment as matters having to do not with the highest functions of the imagination, but with an adulterated world.

Within the ironically detached "Adams" of the *Education*, there is a fervent seeker: "to Adams the dynamo became a symbol of infinity . . . this huge wheel, revolving within arm's-length at some vertiginous speed, and barely murmuring—scarcely humming an audible warning to stand a hair's breadth further for respect of power—while it would not wake the baby lying close against its frame." In this image of the immense power of the dynamo restrained by its own gentleness, or standing in Chartres Cathedral before the rose window of the Virgin "who shrank from the sight of pain," Adams was able to turn his revulsion at modernity into worship. "Unless you can go back to your dolls, you are out of place here," he reflected at Chartres, and he made, in his 60s, a reversion from the modern "feebleness of . . . fancy" to an aroused awareness of the divine.

Mont-Saint-Michel and Chartres is a marriage poem written by an old widower expecting death. Adams's wife had killed herself in 1885 by swallowing the cyanide she used in her photographic darkroom. Now, years later at Chartres, "the quiet, restrained grace of the romanesque married to the graceful curves and vaulting imagination of the gothic makes a union nearer the ideal than is often allowed in marriage." In this cathedral "the old romanesque leaps into the gothic under our eyes. . . . The two expressions are nowhere far apart; not further than the Mother from the Son. The new artist drops unwillingly the hand of his father or his grandfather; he looks back, from every corner of his own work, to see whether it goes with the old." But there are dissonances: the new tower at Chartres, "in comparison with the old, showed signs of a certain tendency toward a dim and distant vulgarity." And for this vulgarity Adams had a name: self-consciousness.

Here, I think, we arrive at the great paradox of Adams's lifework, which is illuminated as never before by the magnificent Harvard edition of his letters. He was, between Whitman and Mailer, the most self-conscious of our major writers, defiantly asserting that by far the most interesting literary subject he could find was the action of his own mind. And yet it was precisely for his self-consciousness that he put himself on trial. It was his effort to escape himself that resulted in his greatest books, *Mont-Saint-Michel* and the *Education*, each written as if the garrulous writer of the letters had been refined by fire into a disembodied spirit.

If the irony of the late Adams is corrosive, it is meant to dissolve the self. There are hints of this procedure even in the early letters, as when he writes of a hike through the Scottish highlands, his "shoes, crushing the wet sea-weed, called out at every movement bright, flashing phosphoric flames, so that we seemed to be walking on liquid fire." These walks through a prehuman landscape are an intimation that nature is not a park for man to play in, but an organism on whose outer skin man is either an eruption or a stray irritant. Later letters written on a trip to Japan, where he went under the tutelage of Ernest Fenellosa, pay uneasy tribute (no doubt an expression of what is nowadays called "Orientalism") to the un-self-conscious quality of Japanese culture, where "the whole show is of the nursery"; where, sleeping in an inn, Adams finds himself barely separated from his fellow guests by translucent screens and sliding doors, and where the children, women, and men all bathe together naked, unashamed.

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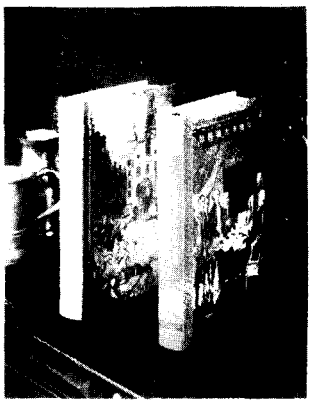

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Soon after Clover's suicide, we find Adams engaged in what Ernest Samuels, in his excellent abridgment of his authoritative three-volume biography, calls the "macabre ritual" of reading the diaries of his youth and then burning them, volume by volume, in his onyx fireplace. Irony is the fire of the *Education*. It burns away the personal memories and leaves a floating consciousness trying to slip into phase with the flow of history. The surest sign that Adams wished to obliterate his own self-consciousness is that Clover's death is left entirely out of the *Education*. (One feels that he speaks of it only by displacement, when writing of the horror of his sister's death by tetanus.) He left it out, I suspect, because he could not bear to write about it in the mode of the rest of the "autobiography": as if it had happened to someone else.

The last letters, some dictated, others shortened by the loss of sight or hand control, are terribly moving. Calling himself "the venerable paralytic," or "the octogenarian rat," he writes to Henry James that "each day is an isolated fact, to be taken by itself and looked at as a dance." At Christmas 1914, he writes to Elizabeth Cameron as if time itself could be cut and pieced together into new patterns, and the divisions between words elided:

> Yesterday my brother Charles sat an hour or two with me, and I think that, in fifty years more, I may be as young as he, but exactly how young it will be passes my figures. He is now just twentyseven when Lee surrendered. He thinks of Germans as rebels. I wish I did, but I am now in my Saint Augustincarnation, and see only the Civitas Dei. There are the Poinsettia and sunshines, if not much else, and we can't all be eighty years old.

After a series of strokes, he writes to Henry Cabot Lodge, who 60 years earlier had been his favorite student, that "I can sit now for hours, quite still, with my hands before me, thinking of them, as all that is left worth a thought." It is as if he relinquishes his body and, by concentrating on losing his consciousness, saves himself: as Emerson put it and as Adams came, I think, to agree, "the discovery we have made that we exist . . . is called the Fall of Man."

The Dedicated Eye

BY JED PERL

Reported Sightings: Art Chronicles, 1957-1987 by John Ashbery edited by David Bergman

(Knopf, 417 pp., $35)

John Ashbery's art chronicle goes straight onto the short shelf of books that have something significant to tell us about what painters have been thinking and feeling and looking at and living through in the years since World War II. Writing on deadline for audiences that are often unfamiliar with even the rudiments of his subject, Ashbery isn't above prosaic recitation of facts, or a tendency to lose steam before he's brought a piece to a satisfying conclusion. But the man who describes Chardin's genre paintings as existing "outside of time, in some parallel bourgeois universe," and refers to Robert Rauschenberg's collages as "grubby urban palimpsests," and comments that Brice Marden's paintings "have the fashionable empty look" is a considerable critic indeed.

When Ashbery began to work as a journalist in the late 1950s, his book of poems *Some Trees* had already been chosen by Auden for the Yale Younger Poets Series. But that wasn't an honor that a person could live on. As the poet David Bergman explains in the introduction to *Reported Sightings* (which he selected and edited), Ashbery came to art criticism because he needed to eat:

> In 1960, when John Ashbery accepted a friend's offer to replace her as art critic for the Paris *Herald Tribune*, he was merely seeking employment in a city where Americans found it both difficult and necessary to earn money in order to live. Little did he know that the job would lead "as one thing followed another" into a career in which for the next 25 years almost without interruption he worked as a "sort of art critic" for such different journals as *ArtNews*, *Newsweek*, and *New York*.

Reported Sightings contains roughly one-third of the criticism that Ashbery has written since the late 1950s. This packed book takes readers into the studios, galleries, and museums of New York and Paris and touches on every kind of art: Bonnard, Willem de Kooning, Saul Steinberg, fantastic architecture, the folk art of Japan.

Readers of his celebrated "Self-Portrait in a Convex Mirror," an extended meditation on a painting by the 16th-century Italian painter Parmigianino, know that Ashbery is fascinated by the goings-on in the artist's studio, by "Secrets of wash and finish that took a lifetime / To learn." In "Self-Portrait," Ashbery's examination of the art of painting is a means, however difficult and indirect, for constructing a link to another person, "the strict / Otherness of the painter in his / Other room."

In a related fashion, Ashbery's criticism (which contains, in passing, some remarkable descriptions of studios) takes us into and through the work of art in order to reveal the artist. Ashbery has humor, discrimination, lucidity, an inner compass: all the attributes necessary to bring to life a whole gallery of artists. Bergman tells us that Ashbery has credited the discipline of journalism—the deadlines, in other words—with helping him overcome "his resistance to poetic composition." Whatever criticism has given to Ashbery, he has given every bit as much in return. He brings a poet's quickening sense of language to a crazy-quilt quartet of decades that the history books have forced into a streamlined but dishonest order.

Ashbery's association with the art world began in 1949, when he came to New York to enroll as a graduate student in English at Columbia. On his very first day in the city, he met Jane Freilicher, the landscape and still-life painter who is today best known for casually brushed compositions in which we are often looking around a vase of flowers, through a window, to the landscape of Long Island, with its expanses of green field and its big, cloud-flecked skies. She lived upstairs from his Harvard friend Kenneth Koch and had been assigned by Koch to give Ashbery the key to Koch's loft, where he was to stay. It was not long before Ashbery got to know the poets Frank O'Hara, James Schuyler, and Barbara Guest, and the painters Nell Blaine, Larry Rivers, Robert de Niro, and Al Kresch. His initiation into bohemian New York coincided, as he writes,

> with the cresting of the "heroic" period of Abstract Expressionism, as it was later to be known, and somehow we all seemed to benefit from this strong moment even if we paid little attention to it and seemed to be going our separate ways. We were in awe of de Kooning, Pollock, Rothko, and Motherwell and not too sure of exactly what they were doing. But there were

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other things to attend to: concerts of John Cage's music, Merce Cunningham's dances, the Living Theatre, but also talking and going to movies and getting ripped and hanging out and then discussing it all over the phone: I could see all of this entering into Jane's work and Larry's and my own.

This is the sort of atmosphere in which Ashbery sees art as being made. When he observes a little later in his essay on Freilicher that there are two kinds of artists in the world—"those who organize and premeditate, and those who accept the tentative, the whatever-happens-along"—we can be in little doubt, "though neither method is inherently superior," as to where he places Freilicher and himself.

Ashbery has a horror of generalizations. In "Ode to Bill" he speaks of writing as "getting down on paper / Not thoughts, exactly, but ideas, maybe: / Ideas about thoughts." Then he hesitates: "Thoughts is too grand a word. / Ideas is better." He would not presume to sum up his philosophy as a critic in so many words. But then again, his cheerfully catch-as-catch-can attitude—his talk of "getting ripped and hanging out and then discussing it all over the phone"—does constitute a sort of aesthetic. It's an attitude, moreover, that characterizes a goodly element of America's post-World War II avant-garde. Before the war, New York's bohemia had been not only insolvent, but also largely invisible. This situation is reflected in the often ponderous character of the Abstract Expressionist paintings, which Ashbery has referred to as "at once both public and personal."

Ashbery's idea that "most good things are tentative, or should be if they aren't" could probably never have come into being without those Abstract Expressionist images. Yet Ashbery, as he himself explains, felt a bit removed from the work of Pollock and de Kooning. The Abstract Expressionists had struggled through the Depression and the war and now, in the 1950s, resolved their art and achieved a considerable measure of fame. Ashbery and his friends, just starting out, were quite naturally daunted by this generation of giants. Looking at a Pollock, Ashbery obviously liked what he saw; but what he chose to see was neither the completeness that Clement Greenberg described nor the existential drama that Harold Rosenberg described. I sense in Ashbery a desire to distance himself from the heroism of Abstract Expressionism. He rejects, implicitly, the characterization of Abstract Expressionism as a high classical moment. He can-

Michael Adas

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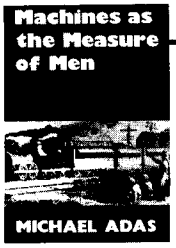

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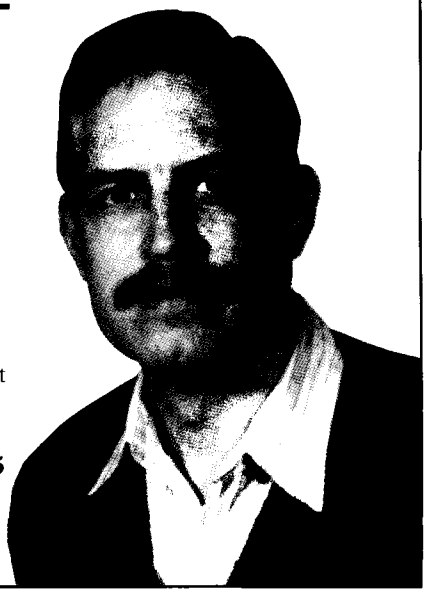

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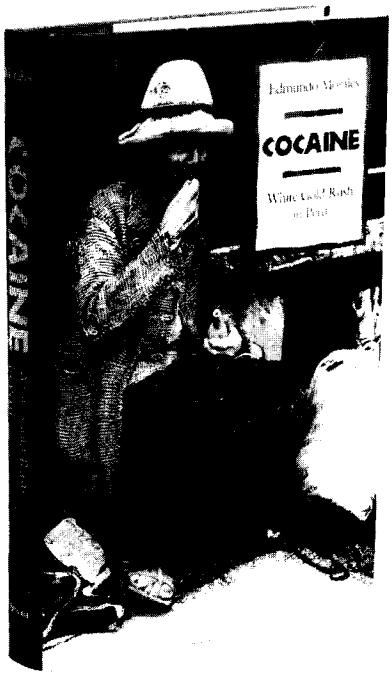

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not help but be conscious of the aftermath—of the movement's tendency to deteriorate into bombast and academicism. I'm not sure Ashbery cares all that much about classical moments. Maybe those moments seem like something best left for the fathers to worry about. For Ashbery, art is a series of improvisations that go on and on.

This easy-going attitude jibes with the lighter tenor of second generation Abstract Expressionism, with the work of Grace Hartigan and of Joan Mitchell, on whom Ashbery wrote an excellent essay in 1965. It also jibes with the high spirits of Pop, of happenings, and some of the newer representational paintings—those of Freilicher and Fairfield Porter, another friend of Ashbery's, whose work invokes the joyful intimism of Vuillard and Bonnard. The humor and even wackiness in some of this painting can be related to social changes: a general economic upswing after the war, and a concomitant growth in career options for the avant-garde.

The new mood even affects one's understanding of the later work of first generation Abstract Expressionism. Ashbery describes some de Kooning lithographs as "a parody of the parody of nature that *sumi* drawings, in a sense, already are." This speaks of derivations from derivations, and it may strike some readers as giving a Silver Age cast to the postwar years. Another way to put it is that Ashbery believes that the expressive possibilities of art are always changing, always in a state of flux.

In any case, for Ashbery the very improvisatory nature of journalism seems to have meshed with an evolving aesthetic—an aesthetic that sought illumination within the ragtag of the everyday. Writing on Freilicher, Ashbery comes up with a line that might describe his criticism (and some of his poems) as well: "*luxe, calme,* and *volupté* are where you find them." In an obituary on Porter in 1976, he expands: "We are left with our spontaneity, and that life itself is a series of improvisations during the course of which it is possible to improve on oneself but never to the point where one doesn't have to improvise." You feel that spontaneity all through *Reported Sightings*.

Unfortunately, David Bergman hasn't organized this collection with the sure hand that would make Ashbery's vision shine. The opening section, "Surrealism and Dada," gives exactly the wrong impression of a writer who always sees art in terms of individuals rather than movements. After that, the shuffling of assorted artists into categories variously labeled "Romantics and Realists," "Portraits," and "Recurring Figures" is annoying, unilluminating, and sometimes inaccurate. There is a sense of pleasure in these articles that can't be fitted into slots, certainly not in Bergman's schoolmasterish fashion. Ashbery's originality has everything to do with the uncategorizable ways in which a person of sensibility mediates experiences as he attempts to give art and life their due and get on in a world where, as he wrote in 1961, "with an average of ten vernissages a day, not to mention all the theatrical and sports events, the professional spectator has his work cut out for him. Dilettantism is now more exhausting than creativity." Remember, Ashbery was trying to juggle dilettantism *and* creativity.

Out of that juggling act come extraordinary passages, lines in which Ashbery's plain style lights up all of a sudden. On the boxes of Joseph Cornell: "Surprises and shocks descend in an avalanche as in the tragedies of Seneca." On the drawings of Constantin Guy: "Little by little the eye is drawn by this style which is the absence of style." On Bonnard's paintings: "The joy is there, certainly, but it remains potential, modulated by something dark and serious." On the still lifes of Redon: "The deep cerulean shadow on the brown jar in the latter picture is a color no one has ever seen in nature, yet it is both romantic and right." On the late work of Braque: "His work has the bareness and simplicity we associate with the Tao, and the abrupt insights of Zen. One has the impression of the form's being suddenly *there*, of its having arrived with the swift inevitability of an event." On Bacon: "High speed snapshots of a nightmare." On the etchings of John Cage: "The show is like a marvelous overdose of spring tonic. After you come out of it, everything and everybody you see looks like a new percussion instrument." On the landscapes and flower paintings of Nell Blaine: "The sensuality in these works is backed up by a temperament that is crisp and astringent, which is as it should be, since even at its most poetic, nature doesn't kid around."

Because so many of these remarks appear in brief, hurried accounts, they're not developed at length as often as one might hope. But on those occasions when Ashbery has space—often in some of the longer pieces written for *ArtNews* or for exhibition catalogs—he's perfectly capable of expanding on his insights. In an article on Joan Mitchell published in 1965, Ashbery discusses the "relation of her painting and that of other abstract expressionists to nature." This is an essential matter, and he gets at all

I, or Someone Like Me

In a wilderness, in some orchestral swing
through trees, with a wind playing all the high notes,
and the prospect of a string bass inside the wood,
I, or someone like me, had a kind of vision.
As the person on the ground moved, bursting halos
topped first one tree, then another and another,
till the work of sight was forced to go lower
into a dark lair of fallen logs and fungi.

His was the wordless death of words, worse
for he remembered exactly where the words were
on his tongue, and before that how they fell
effortlessly from the brain pan behind his eyes.
But the music continued and the valley of forest floor
became itself an interval in a natural melody
attuned to the wind, embedded in the bass of boughs,
the tenor of branches, the percussion of twigs.

He, or someone like him, laughed at first,
dismissing what had happened as the incandescence
of youthful metabolism, as the slight fermentation
of the last of the wine, or as each excuse of love.
Learning then the constancy of music and of mind,
now he takes seriously that visionary wood
where he saw his being and his future underfoot
and someone like me listening for a resolution.

MARVIN BELL

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the shadings of feeling that preoccupy artists who must work in the ever-lengthening shadow of Cubism.

He begins by observing that this relation to nature "has never really been clarified. On the one hand there are painters who threaten you if you dare to let their abstract landscapes suggest a landscape. On the other hand there are painters like Joan Mitchell who are indifferent to these deductions when they are not actively encouraging them. Is one of these things better or worse than the other, and ought abstract painting to stay abstract?" In answering this question, or at least suggesting a number of artistic options, Ashbery shows a deft understanding of the ways in which painters work through their mixed allegiances to nature and abstraction. It's to his credit that he has no particular solution in mind:

> The answer seems to be that one's feelings about nature are at different removes from it. There will be elements of things seen even in the most abstract impression; otherwise the feeling is likely to disappear and leave an object in its place. At other times feelings remain close to the subject, which is nothing against them; in fact, feelings that leave the subject intact may be freer to develop, in and around the theme and independent of it as well. This seems to be the case in "Girolata"—for once the feelings were a reflection of the precise look of the creek, or cliff, or whatever; nevertheless, it is this reflection rather than the memory it suggests that remains the dominant force in the painting.

Readers who expect poets who write about the visual arts to turn everything into literature may be surprised by the directness of Ashbery's experience. But this is a poet who, in his own work, makes pictures: of the way "the sun yellows the green of the maple tree"; of a rainstorm in which "the braided colors / Wash over me"; of a view of "Shadows, ripples, underbrush, old cars." When Ashbery does write about what might be called literary painting—of the bustling, disjunctive narrative figure compositions of R. B. Kitaj, for example—he doesn't lose track of painting values. He revels in the tension between picture-making and narrative, which creates, in Kitaj's case, a "stance, one foot planted in humanistic theorizing, the other in a practice that seems to contradict it." Ashbery sees literature as a possibility that painting can entertain, and vice versa. But he is also skeptical about overly literary painting, a charge he brings against Max Ernst, and against William Blake in a spiffy one-liner: "Blake's painting is one of the glories of English literature."

Ashbery spent the first decade of his career as a critic in Paris. Doubtless there is something French about his taste for an art that grows effortlessly out of the everyday, an art that exalts the pleasures of sight—the sight of the world and the sight of paint on canvas. But before we attribute all of this to the long sojourn in France, it must be remembered that Ashbery's taste was formed to a large degree in New York, before he ever got to Paris. Reporting from France, he knew that Paris was fading. In 1966 he said that "for spiritual and commercial reasons, New York is the capital of the contemporary art world, and it is French artists who are now beginning their Wanderjahre in New York and Los Angeles."

And so France is not so much the First City as a place from which to watch developments in the First City. In this context, Ashbery quotes a character in a Ronald Firbank novel: "I always follow the fashions, dear, at a distance." In Paris, Ashbery could juxtapose what had been with what was to come. Later on, in a poem called "The Tomb of Stuart Merrill," he remarks, "Let's get on with it / But what about the past." Among many other things, *Reporting Sightings* shows how artists in America have gotten on with it while remembering the past. New York has always been critical of its own success. Self-criticism, after all, is part of what makes a cosmopolitan center truly cosmopolitan.

It's one of the strengths of Ashbery's criticism that he is a social critic of the art world, in Paris and in New York. Sometimes he sets up a little dramatic scene with an amused accuracy that recalls the dance writing of Edwin Denby. "In these days when art 'movements' follow each other with ever-increasing rapidity," he wrote in 1964, "the question of who did what first is often a vexed one. An Italian avant-gardist whose speciality is lacerating posters once told me: 'Other artists tear up posters but I am the first to tear up movie posters.' " The descriptions of Pop Art's arrival in Paris are deft, as is a description of Niki de Saint-Phalle in 1961:

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This voice—clear, self-assured, amused but never taken in—can bring people and places to life with magical ease. Walking into a show at the Museum of Modern Art in 1979, Ashbery comments that "there is a somewhat funereal air of corporate jolli-

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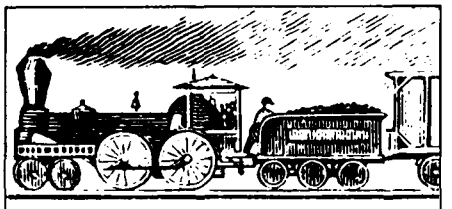

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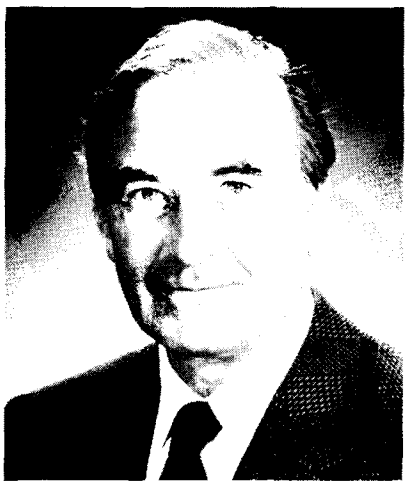

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ty hovering over the occasion." It's a strange construction, but it catches exactly—poetically—a mood that is very familiar at MOMA. Of a Donald Judd show in the mid-1960s he writes, "I had remembered the work in his last show as faintly malevolent. Perhaps this was due to the curious atmosphere of the front room at Castelli." Few critics understand how context affects art. But in the 1970s, when environmental work was cropping up all over the city, Ashbery focused on "the risk that environmental work runs in New York: it has tremendous competition from nature, or what passes for it. Much public outdoor art can't stand up to the city." In the country he finds a reversed situation. "There is something depressing about nature and art squaring off for unequal combat. Only god can make a tree, but lots of people can turn out pseudo-Henry Moore monuments."

Every once in a while the environment meets its match. One of Ashbery's great admirations in the 1970s was for the sculptor Owen Morrel, whose "Asylum," which Ashbery calls "a stairway to nowhere," was constructed atop a downtown building in 1978. Here, Ashbery writes, what matters "is the exhilaration of the experience, whose intellectual complexity emerges only afterward. But the immediate sensation is one of light, air, traffic, gulls, the city and the sky." That's a magical description of a moment when art and New York City come together.

Read end to end, *Reported Sightings* adds up to a gently radical rearrangement of the landscape of postwar reputations. The book is full of daring, felicitous judgments; so much so that some readers will be disturbed by the many unfamiliar artists upon whom Ashbery bestows his beautiful descriptions and generous appraisals. Some readers are going to feel that this critic has been carried away by the warmth of his friendships. Yes, Ashbery does write about his friends. The question one must ask is, Has he picked the right friends to write about?

The attention that Ashbery lavishes on relatively little-known artists such as Jean Hélion, Edwin Dickinson, Fairfield Porter, Nell Blaine, Anne Dunn, Trevor Winkfield, Rodrigo Moynihan, James Bishop, Esteban Vicente, Leland Bell, and Joe Shannon strikes me as exactly right. If he takes us rather far from postwar hagiography, I say more power to him. This is very much the kind of pantheon that you will hear about when you talk to some of the most intelligent artists alive today. To experience the art of one's own time is to take a risk. Safe taste is deadly taste.

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I happen to share certain of Ashbery's less conventional views. I agree that Raoul Dufy may "eventually [be] classed with Picasso, Matisse, and Bonnard as one of the great innovators of our century." I believe that Jean Hélion, the French painter who died two years ago, is "not just one of the great figurative painters; he is one of the greatest painters of any kind today." And I respond "to the evident integrity and beauty" of the work of Leland Bell, whose hypersimplified, packed-tight figure compositions are among the most remarkable works being produced in New York. But just as often I find myself in disagreement. I dislike Jess, Brice Marden, Rodrigo Moynihan, Larry Rivers, Jennifer Bartlett, and Joe Shannon every bit as much as Ashbery likes them.

This is as it should be. One doesn't judge a critic solely by his judgments. When I read Ashbery's criticism, I enter into a conversation about our differing perspectives on shared experiences. Above all, I admire this critic's lack of pretension—his unwillingness to extrapolate more than he rightly can from a particular picture, a particular artist. Ashbery knows that there is nothing we can do but stand in front of the work of art and let it work its magic. He has kept standing there, year in and year out. In his loyalty to the moment we are living through, and in his seriousness that is never pedantic, Ashbery recalls that legendary poet-critic, Apollinaire.

JED PERL is the author of *Paris Without End* (North Point Press).

Rough Tours, Inc.

BY CHRISTOPHER HOPE

What Am I Doing Here by Bruce Chatwin

(Viking, 367 pp., $19.95)

One of the most refreshing features of Bruce Chatwin's work has been a kind of innate generosity that allowed, even encouraged, the reader to watch him on the way to becoming a writer. There was never anything finished about Chatwin. This brave lack of polish saved him from preciousness, and from muscular aestheticism. Less congenial, sometimes, were the smoothly successful applications of the tricks he had learned along the way from the models he admired—Lawrence, the early Hemingway, the younger Gide, the elder Pliny (good on ancient sightings of the Yeti). What Chatwin had, most finely, was what a few great travel writers have, and what others never consider, preferring to stride out ahead of the reader: the art of taking the reader along for the ride.

Chatwin, who died last year, was the very cultured director of Rough Tours, Inc. He believed that all travelers were created equal, but some wrote about it better than others. His travels had democratic, even domestic, beginnings. That is what makes them so approachable. *In Patagonia*, his first book, and still in many ways his finest, set out from his grandmother's display cabinet, where there reposed, family lore insisted, a real piece of Brontosaurus. His Dahomean horror story *The Viceroy of Ouidah* begins with a requiem mass for a Brazilian slaver who, after his death, was pickled in a barrel of rum.

Chatwin had a passion for the horribly beautiful detail. (This passion sometimes led him to sheer away—with a heartlessness only an auctioneer could approve—an item of singular beauty from the suffering that created it.) His writings are praise poems to wanderlust. Though he jettisoned his ambition to write a study of the nomadic instinct (an early essay on the subject is collected here), all his books might be said to constitute just such a study. Or, since Chatwin is wonderfully free of studiousness, perhaps celebration would be the better word.

In a lesser writer, *What Am I Doing Here* would constitute a ragbag, bits and pieces bundled together to make what publishers call a book when intent, really, on making a bundle. Chatwin put them together at the end of his life, and then left on his travels. The essays here were articles commissioned by various journals and newspapers, the earliest dating from the 1970s when he worked for the *Sunday Times* of London. The latest dates from his sickbed in 1988. They are, he writes, "fragments, stories, pro-

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files, and travelogues." If his aesthetic sensibilities warned him of the risks involved in stitching such disparate odds and ends together, he rejected the warning, and acted perhaps on the advice once given to him by Noël Coward: "Never let anything artistic stand in your way."

The starting point for Chatwin's final journey again invites and astonishes. The journey begins from his deathbed with the question, now shorn of its interrogative sign, that gives the book its title: "What Am I Doing Here." In fact, the original question is Rimbaud's, in a letter written when the poet was wandering in Ethiopia, as readers of Chatwin's Australian walk-about *The Songlines* will remember. He cited it in a series of *pensées* culled from world literature, praising the nomadic propensity of humankind, the healing grace of which Chatwin believed in with an almost mystical intensity. Now he is lying in an English hospital bed battling an unidentified wasting disease. He has been ill before: bronchitis, a rare Chinese fungus of the bone marrow, and this time, perhaps, he is down with malaria. But no one can tell him for sure. Into his room strides Assunta, the cleaning lady and tea maker. But she is also more than that, because she comes from Palermo; and so, for Chatwin she becomes a breath of the warm south. Assunta spits on science; she is full of stories of magical snakes and miraculous babies, stories of how doctors get things wrong. He drinks her in, and we are off on the last and best of all Chatwin's journeys, because he revisits much of the material out of which his later books grew, and because Coward's advice is always well to the fore.

What Am I Doing Here is a great traveler's autobiography, enchantingly full of marvels, monsters, and frauds. There is an acidhead in Boston who believes himself to be the Savior and spends a lot of time watching football games on TV and prophesying incorrect scores. There is Mr. Lung, the Hong Kong geomancer, expert on "dragon lines." There is the horsemanship of the Huns, the Yeti's footprint, a natal feast in Tibet, dinner with André Malraux. It is all, as so often in Chatwin, too good, or too bad, to be true. This is not to say that what he writes is false. But his aim is neither truth nor fiction. It is to entrance and to bewitch, with tales of Viking ship burials, rare poisons, and how the Chinese emperors got their horses, thanks to the cunning of Emperor Wu Ti (156-87 B.C.), "the most spectacular horse-rustler in history." He wants to know whether irrigation is linked to dictatorship in early human settlements, and why nomads are closer to God. Travelers tell wonderful stories. It almost goes without saying that some will be very tall tales.

Chatwin is an unrepentant collector, a fancier of priceless curios. He began his working life as a porter at Sotheby's, ascended rapidly to become one of that venerable house's youngest directors, then abruptly abandoned his career and went off to Patagonia. But he only collects what cannot be kept, and he gives away his most cherished finds. He has what the former chamberlain to the deposed king of Albania diagnosed as "the eye." In "The Bey," Chatwin recounts how he acted as the chamberlain's private banker, transmuting exquisite objects of ancient art from the court of King Zog into the wherewithal to cover the old rogue's phone bill at the Ritz. He quotes the Bey's advice: "Between two friends who have The Eye there can be no question of money." It is hardly surprising that Chatwin's career with Sotheby's came to an abrupt end since, for auctioneers, there can be no question of anything else.

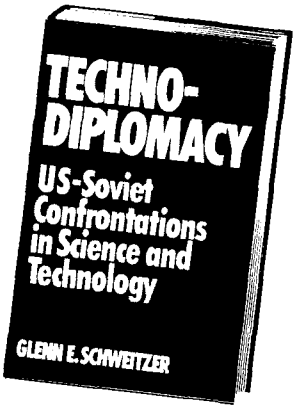
What Am I Doing Here is the confession of a literary naturalist who sets off in search of unlikely specimens, lovely, improbable, profane, his killing bottle at the ready. And there is also in Chatwin a relish for the thoroughly nasty occasion; it is positively Nabokovian in its galloping intensity, in its unerring sense of the saving precision of the unexpected detail.

Consider one of the best pieces in the collection, "The Coup," which, along with a couple of other anecdotes, carries that cautionary subtitle "A Story." It begins with the kind of plain sentence Hemingway might have liked, flat as can be, yet judged to a nicety for its pulling power: "The coup began at seven on a Sunday morning." The place is Benin, now a Marxist-Leninist shambles, but once upon a time a decent enough country called Dahomey. The coup begins with gunshots and panic. Chatwin is arrested, threatened with execution, told to strip to his underpants by an Amazonian colonel, and she is not playing games. He hesitates briefly, unsure whether he is wearing any, when "a barrel in the small of my back convinced me, underpants or not, that my trousers would have to come down—only to find that I did, after all, have on a pair of pink and white boxer shorts from Brooks Brothers."

Now pink and white in the matter of boxer shorts might have been enough, but we get as well the clinching fact of their provenance: they are not just any shorts, you understand. And this is what is so impressive and cheering about Chatwin at his generous best. However tight the corner or bleak the event, Chatwin contrives to create space around himself. He paints contours and textures; the details may be gory or beguiling, and the reader is drawn into a world of richly contrasting possibilities. However great his joy in arriving, in knowing the place for the first time, Chatwin is always working on several methods of escape.

It is not the urge to arrive, but the urge to move on that marks the real traveler. Held overnight in a stinking jail with soldiers baying for the death of "the mercenaries," he dreams of food, a dozen Belons, and a bottle of Krug. Released at last, he settles for Bollinger in Benin's last good restaurant, and plans to move out, for Benin is not "his Africa." He yearns for that other Africa further north, and "a camel caravan, a view of white tents, or a single blue turban far off in the heat haze."

Though the young Chatwin walked out of the auctioneer's expensive premises, and kept on walking for the rest of his life, something of the urge that sent him to Sotheby's in the first place still remains. It is when the aesthete shows that the writer falters, thickens into adulation, or cools into the shapely copy-



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writing of the salesroom catalog. Auctioneers, after all, have their prose styles as well as their commissions. The material in Chatwin's new book falls roughly into two categories: there are monsters and there is art; and while Chatwin never writes less than beautifully about both, it is among the monsters that he is most unabashed and free.

What happens then when the artist discovers a true story of rape, murder, and ritual, as Chatwin does on an Intourist cruise down the Volga in 1984? He recalls the description of a Viking ship burial given by an Arab traveler Ibn Fadlan—the multiple rape, followed by the strangulation, of a slave girl, by which she is dispatched into the next world, there to await the pleasure of a Viking chieftain. The monstrous is sanctified by time, and by art, and floated toward us upon the smooth advocacy of the auction-room floor; a savage but priceless frieze. And a cruel but valuable moment—but then nothing is priceless for the auctioneer. At such discomforting moments Chatwin's education gets the better of him. He is best on the move.

Set him loose in the Himalayas on the track of the Yeti, give him the scent of the Wolf-Boy in India, and he is in his element, vivid, unexpected, informed to a degree and erudite almost, but not quite, beyond words. He is very helpful to a Chinese with suspected syphilis in the Republic of Cameroon, where "Guinness is thought to be an aphrodisiac." He does his best to keep up with the exuberant geographer Maria Reiche as she hops about the Peruvian pampa, mapping the gigantic drawings of animals, birds, and insects left on the desert floor by the extinct Nazca Indians. Who but Chatwin, bouncing about on the thermals thousands of feet above the desert floor, would identify the species of spider (*Ricinulei*)—and think to inform us that it copulates with its hind leg?

It is in the same rich vein that he recalls his experience on location with Werner Herzog. Though ill with an "impossibly rare" bone fungus picked up in China, Chatwin cannot resist Herzog's offer of four hamockeers and an umbrella bearer, and he's off to Ghana, which will stand in for Dahomey in Herzog's film of his gory baroque fantasy, *The Viceroy of Ouidah*. Chatwin's piece stars Klaus Kinski, who plays the slaver Felix de Souza magnificently, and behaves badly in between times, to everyone's pained satisfaction; a convoy of good-time girls from Accra who storm the director's tent when the pay disappoints; and a real king to play the king, "a man of magnificent presence and a slightly extended lower lip."

When Chatwin comes to pay tribute to art and artists, alas and alack, something happens. A creeping reverence, or some dimly remembered deference from his Sotheby days, floats to the surface and dulls his writing. It is not a bloom, or a patina; it is a cloudiness that blinds. It leads, in an essay on George Costakis, the collector of Soviet art, to statements like: "Russia's revolution is the outstanding intellectual event of the century. . . ." Chatwin is determined to show that the artists of the revolution—among them Rodchenko, Malevich, Mayakovsky, Tatlin—anticipated every major Western art movement, right up to the New York school. They simply ran out of steam, he insists, though he concedes they were rather leaned on by the Party. This is a willful confusion of the few glorious years after the revolution with the decades of barbarism and vulgarity that followed—and that still adulterate prevailing taste in artistic matters in the Soviet Union today, as is sadly apparent everywhere, from the enfeeblement of the galleries to the ghastly conformity of the Bolshoi.

When Chatwin looks at someone he really admires, his judgment goes out the window. He calls on the architect Melnikov in the Arbat in Moscow. Expatiating on the history of the quarter, the old aristocratic suburb largely rebuilt after the Napoleonic fire of 1812, he seems unaware of the disaster that befell the Arbat after the revolution, when it was reduced to a muddy, seedy slum. Even

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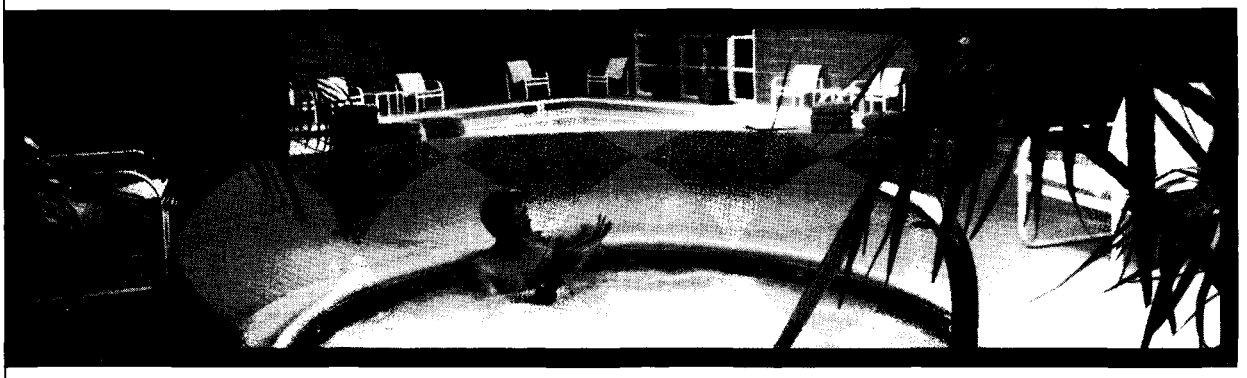

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today, with the Arbat restored to something like its former sturdy beauty, the shock to anyone with half an eye is profound. It is now a museum, only half-alive, a pedestrian precinct preserved for tourists, a sad reflection of its former self. But Chatwin sees none of it. Instead he sees Melnikov living in a "Constructivist miracle house," and he records, with a note of regret, that the parking lot the old architect once planned for Paris (in the 1920s, mark you!), which would have spanned the Seine and accommodated 2,000 cars, was never built. We must be grateful for small mercies.

He is a surer guide when looking at people he almost likes. His portrait of Malraux, of the thinking man as hero, presented through the flavors of Malraux's conversation, is very fine. He feels a similar attraction toward the enigmatic German writer Ernst Jünger, "An Aesthete At War." In this portrait, Chatwin reveals a tendency to imagine that what was once a human life may be scrutinized as if it were a particularly interesting objet d'art; the connoisseur raises his carefully groomed head and invites us to consider the line and sheen and provenance of lot 36. Jünger, it is true, was almost a work of art: a beautiful killing machine, a good soldier who enjoyed describing the colors of shrapnel wounds, his own in particular; who collected beetles, on which he was an expert; and devoted himself, during the German occupation, to recording in his wartime diaries the elegant table talk of Parisian collaborators. That the machine killed is an unexceptional insight. That it killed with exemplary relish throughout the length and breadth of Europe might, one would have thought, deserved comment also.

Chatwin spoke half a dozen languages, read old Sanskrit, could identify a late-fifth-century attic marble. He traveled easily in Parisian salons and in the foothills of the Himalayas. He was a very clever man. But his greatest talent was not his learning or even the lightness with which it was worn. It was something he observed and recorded in his first book, *In Patagonia*, where he met an Indian girl who "stared at people as if they were mad." And that is why, for my money, his account of his travels with Indira Gandhi, "On the Road with Mrs. G.," is itself worth the price of the book. The period is the late 1970s, as she was clawing her way back to power after the disasters, the repressions, and the lunacies of her misconceived Emergency. Those were the days when her son Sanjay was being groomed as her successor and her Sikh bodyguard could still be entrusted with her life. It is the finest, wackiest, truest, saddest account of a power-hungry politician on the stump that has been written.

What Chatwin was doing here, to venture an answer to the unasked question of the title of this book, is recorded between its covers. Like all his work, these irresistible, slightly gamy, erudite anecdotes, images, and tales challenge the pedestrian belief that the world is even halfway known. They assert instead that it is a wild, improbable place full of dubious heroes and fakes with true stories to tell—if only one has "the eye." It is a double sadness that Chatwin will write no more. If only he could report back from that country to which he has departed, what tales he would have to tell.

CHRISTOPHER HOPE is the author of *White Boy Running*, which has recently appeared in paperback (Anchor Books), and *My Chocolate Redeemer* (Heinemann).

President Machiavelli

BY ALAN RYAN

Taming the Prince: The Ambivalence of Modern Executive Power by Harvey C. Mansfield Jr.

(Free Press, 358 pp., $24.95)

This is an odd book. It is not silly or malign. In its way it is rather engaging; but it is certainly very odd. Harvey Mansfield's subject is, as his subtitle says, "the ambivalence of modern executive power," by which he mostly means the ambivalence that Americans habitually feel about "strong" presidents, and which, indeed, they have felt ever since the Founding.

The Founders were not going to bring back a king with wide prerogative powers. Yet the Revolution had shown the danger of divided councils and had made Americans conscious of the need for decisive leadership, and conscious that when needed, it was urgently needed. The Constitution reflects the ambivalence: the president is not a mere instrument of the legislature, but the separation of powers means he cannot act for long without its concurrence. His formal powers are enumerated in writing, but all political scientists agree that his power in practice depends on his own personality. In Mansfield's terms, elements of weakness and elements of strength are built into the job.

It is perhaps a narrow view that supposes that "the modern executive" is a synonym for the American presidency. Nothing here illuminates Mrs. Thatcher's ambivalent efforts to roll back the state-by-state decree, for example, nor the French Fifth Republic's ambivalent legacy from de Gaulle; nor, more important, the exceedingly ambivalent character of Gorbachev's program of compulsory enlightenment.

Still, there is much to be said about the American presidency, however the discussion is labeled. The greater oddity in Mansfield's book lies in the way its subject is treated. It is a common enough academic habit to attack from the rear, to approach one's subject by indirection. Mansfield carries this to extremes. He is a loyal disciple of the late Leo Strauss, and holds it as an article of faith that nothing worthwhile can be said about modern politics except by starting with the Greeks, and thereafter ruminating on the damage done by Machiavelli. He who would understand the nature of the authority wielded by Ronald Reagan must begin with Aristotle, though the latter said nothing whatever about either Reagan or the American presidency, nothing about the modern executive, nor, indeed, about executive authority at all.

Mansfield's strategy is Hegelian, or perhaps Heraclitean. The road up and the road down is the same road. A topic unmentioned is a topic discussed:

> The Greeks, who invented political science, made little of the executive function, choosing to leave it obscure; and they made nothing of "the executive" by that name. To think about what they did instead—above all Aristotle—is very illuminating, however, since modern political science is still most fully displayed, and to best advantage, if it is contrasted to the political science of the ancients.

What, then, is this matter that the Greeks fastidiously chose not to talk about?

It turns out to be a familiar issue. How far can a political system go in securing effective government before it begins to topple over into tyranny? Or, the other way around, how scrupulously can the rule of law be obeyed before governments become weak and ineffectual? Is a

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"strong presidency" an essential prop of American constitutionalism, or a threat to it, or a bit of both? (No prize will be given for guessing that the answer is a bit of both.)

There are many other questions that the topic raises, but Mansfield does not. An inquiry less obsessed with the American presidency might have considered the role of an effective Cabinet in making the executive more efficient and the chief executives less likely to go off the rails. A discussion less fixated on the separation of powers would have taken an interest in the Cabinet's role as what Walter Bagehot called the "*hyphen* which joins, a *buckle* which fastens, the legislative part of the State to the executive part of the State." A discussion less dismissive of institutional analysis would have done much to sober up what is all too often intellectual melodrama. So would a halfway serious discussion of the role of the modern political party in stocking both legislatures and executives.

For those who think politics is a struggle between theories, and for those who like their theories brightly colored, Mansfield does a good job. The ingredients are familiar, but they are well sauced. Thus, according to Mansfield, Aristotle never discussed the modern executive, not for the dreary historical reason that he was a couple of thousand years too early, but because Aristotle was interested in two issues on which the degenerate modern political scientist has pretty well given up. The first was a conception of ruling that was far removed from modern ideas of simply giving or taking orders. The second was the possibility of a form of kingship where "the whole of a family, or even a single person is of merit so outstanding as to surpass all the rest" and justly "vested with kingship and absolute sovereignty."

Aristotle thought, as we do not, that virtue was natural, though of course in need of inculcation through education, and that virtue could rule through the self-evidence of its claim to rule. Therefore, a man of outstanding virtue would obviously be the man to govern us. Our obedience would not be submission to fear, but submission to reason. Were such a king to appear, *pambasileia*, or absolute monarchy, would be both just and expedient.

Though Mansfield appears to be a fan of both FDR and Ronald Reagan, and agreeably undespairing of the world we've actually got, he laments the fact that the business schools have won and Aristotle has lost. Organization rather than "perfection of soul" is the currency of our contemporary quasi-kings, but Mansfield continues to hanker after the man of surpassing virtue. In the aftermath of Reagan, I guess many of us would rather that William Kristol and Mansfield's other students in positions of influence did not feed such ideas to Dan Quayle.

It is an eccentric use of Aristotle to seize on his brief and throwaway discussion of kingship as if it is the essence of the book. Precisely because it is not, we rightly remember Aristotle as the theorist of class conflict, of revolution, and of the need to adapt our constitutional arrangements to our climate, culture, and economic life. Indeed, so little does Aristotle seem to mind the absence of the man of outstanding virtue that he offers tyrants good advice on how to retain their power: they should avoid insulting their more powerful citizens and especially avoid preying upon their womenfolk. To most readers, the discussion of kingship in Book III of the *Politics* looks like a reductio ad absurdum. One-man rule would be fine if one man could get it right the whole time, or even more often than a committee or an assembly. But, as Aristotle rightly thought, collective judgment is wiser than individual judgment, and absolute monarch is only spuriously attractive.

Mansfield cannot afford to read the argument like that. He hangs almost his whole case on the contrast between the high-minded ruler sought by Aristotle and the unscrupulous but effective prince looked for by Machiavelli. Our ambivalence about the modern executive sometimes seems to be not much more than the obvious tension between our wish to be governed by great and good men and our fear that we will be governed by petty crooks. Aristotle represents the hope to be led by the great-souled ruler, while Machiavelli represents something altogether more interesting: the suspicion that we'd do better to be led not by petty crooks, but by grand crooks. Thus *Taming the Prince* can argue that Machiavelli's Renaissance tyrant is a genuinely shocking figure, but one who tells us a deep truth about 20th-century government.

Essentially, it's an old story: the price of effectiveness is tyranny. Mansfield admits that, in the case of the American presidency, this sounds farfetched, and that readers "contemplating, for instance, the necessary tyranny of William Howard Taft" may "respond with amusement." Yes, they might. So why *tyranny*? Because, says Mansfield, the executive operates where the law is silent and rules without legal backing, which is one of the defining qualities of tyranny. Also, an effective executive gets its way because opponents are afraid to resist, and rule by fear is another defining quality of tyranny. Power will always take shortcuts. Even when scrupulously attending to the legalities, it still cannot act justly. "Because of its generality, law becomes injustice when measured against exactness," so even the rule of law has its tyrannical aspects.

Still, this is all a long way from Machiavelli's enthusiasm for the prince who has been taught "how to act against faith, against charity, against humanity, and against religion." Mansfield has baptized as "tyranny" things that don't deserve the title and ridden roughshod over important distinctions in the process. Certainly laws do not come complete with instructions for their application to all

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possible cases, but a legal system may or may not assist the citizen to challenge oppressive applications. Those that provide no redress are to that extent tyrannical; those that provide redress remain "tyrannical" in Mansfield's sense, but in nobody else's.

Presidents and prime ministers act where the law is silent, but they do not have to act in ways that subvert the rule of law. They *may* claim as necessary for national security actions whose only goal is party advantage, and they *may* protect Watergate plumbers or M15 buggers from the proper penalties for their misdeeds. The existence of a near-consensus on where the line is to be drawn suggests once more that not every action justified in such terms is tyrannical. Locke was surely right to define tyranny as a standing intention to subvert the fundamentals of the rule of law; and on those grounds Richard Nixon was a real threat and Ronald Reagan just intolerably casual, which seems about right.

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To treat the executive branch of modern governments as a domesticated and institutionalized form of tyranny is thought-provoking for a page or two, but over 300 pages it becomes merely irritating. Worse, in the light of the Founders' obsession with avoiding the despotism of one man or a few men or even the majority, it seems morally and politically frivolous. There are large questions to be asked about the contemporary workings of parliamentary systems of a European sort and presidential systems of the American sort, but to try to tell the whole story in terms of a struggle between reason and tyranny is unpersuasive. It is too extreme, too careless of detail, too quick to subordinate institutional questions to large ideological claims.

There are many good things in Mansfield's defense of his farfetched case. He is lively, imaginative, and clever, and he writes with great zest. If he is not a persuasive interpreter of Machiavelli, he writes with a verve and a vigor appropriate to his subject. He is particularly good and wholly persuasive on Machiavelli's emphasis on the visible employment of unabashed and uninhibited power.

It's not that Machiavelli dismissed the invisible arts of government. The prince must learn to emulate both the lion and the fox; he should practice cunning in the devising of stratagems and ferocity in their execution. But when Machiavelli considers whether the prince can safely make friends with anyone, he advises him to put his trust in the ordinary people, who have none of the ambition that will make the *grandi* his rivals, and are readily won over by spectacular displays of power. Exploiting the alarming pun latent in the verb "to execute," Machiavelli suggests that the successful prince must engage in "great executions" to keep the public on his side.

Machiavelli was greatly impressed by an incident that occurred while he was on a diplomatic mission. The frightful Cesare Borgia had conquered the Romagna, and had employed Remirro de Orco to pacify it. He then decided that the activities of this "cruel and able man" had aroused indignation that might rebound on him. So as Machiavelli gleefully reports, "having found the opportunity, he had him cut in half and placed one morning in the public square at Cesena with a piece of wood and a blood-stained knife by his side. The ferocity of this spectacle caused the people both satisfaction and amazement." Mansfield rightly observes that it is a mistake to follow recent academic fashion and represent Machiavelli as primarily a theorist of republicanism and constitution-building. We may need to tame his insights, but we ought not to pretend he was a tame academic himself. When he listed "ferocity" and "cruelty" among the virtues of rulers, he meant it.

It is hard to follow Mansfield thereafter. Walking once more in the footsteps of Strauss, he advances the thesis that Hobbes, Locke, Montesquieu, and the authors of *The Federalist* are all of them Machiavellians, openly recognizing the necessity of tyranny and casting about for ways to tame it. In this perspective, the usual distinctions vanish: conservatives, liberals, and socialists are all "modern liberals," since they all believe that politics is about interest, not virtue, and that states employ fear rather than reason to motivate their citizens.

Machiavelli said all too clearly what the politics of interest and fear are like, according to Mansfield, but the rest of us naturally feel ambivalent about the price we have to pay for political effectiveness. Therefore his successors tried to "tame" him. Viewed thus, the great achievement of American constitutionalism is to encapsulate in workable, concrete institutions the ambivalence that liberals feel about executive power. The executive must be both weak and strong, weak because he is merely an agent of the people, strong because he has a large discretion, especially over issues of war and peace. He must be quick to act, and yet circumscribed by the slow processes of legislative enactment and judicial review.

That liberals—though hardly conservatives or socialists—feel some such ambivalence about all concentrated power is true enough, though it is hardly news. Where liberals tend to resolve this ambivalence in favor of the legislature as expressing the will of the people, thus seeing the executive as a mere agent, Mansfield resolves it the other way. He doesn't merely recognize the necessity of decisive leadership and strong central authority; he feels a genuine affection for the government of striking leaders like Roosevelt and Reagan.

Mansfield's position is arguable, but his view of its historical genesis is incredible. How can he bring himself to suggest that Hobbes was only covertly critical of Aristotle and that a deep fear of disorder drove Locke to advocate a monarchy with wide prerogative powers? Since Hobbes never passed up a chance to denounce Aristotle as absurd and antisocial, and devoted the whole of chapter 46 of the *Leviathan* to a catalog of his sins, and since Locke may well have been implicated in a conspiracy to assassinate Charles II, these claims are not so much

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wrong as diametrically opposed to the truth.

Even if the best way of thinking about the contemporary presidency were by working one's way forward from Aristotle, you would want a less eccentric history of ideas than Mansfield's. But nothing in this book casts any doubt on the commonsense thought that if you want to think about modern executives, there's a better place to start: Mitterrand and Thatcher cast more light on Reagan and Bush than do Aristotle and Machiavelli. A study of comparative Cabinet and party systems will tell you a good deal more about what makes for strong and weak executives than do Aristotle's reflections on *pambasileia*.

ALAN RYAN, the author of *Bertrand Russell: A Political Life* (Hill and Wang), teaches politics at Princeton University.

No Holds Bard

BY DAVID NORBROOK

Reinventing Shakespeare: A Cultural History from the Restoration to the Present by Gary Taylor

(Weidenfeld and Nicolson, 461 pp., $29.95)

Reinventing Shakespeare is the kind of book Allan Bloom has been trying to save us from. It is an iconoclastic assault on the authority of Shakespeare's texts and of the author himself. Long before his recent strictures on leveling trends in education, Bloom argued that Shakespeare's plays offered one of the best means of instilling in students a proper reverence for the transcendent elite of great minds in art and politics. The plays were so valuable for this end, he argued in 1964 in *Shakespeare's Politics*, because they warned prophetically against the dangers of the Enlightenment's optimistic cosmopolitanism. For his co-author, Harry V. Jaffa, *King Lear* was the clearest proof that "Shakespeare regarded monarchy as the best form of government." Bloom himself made a close connection between the political values transmitted by Shakespeare's plays and the way that he proposed we read him; in each case the principle is to submit to the authority of our betters. We should read the plays "naively," just as the Bible was read before the Higher Criticism.

Gary Taylor sketches the emergence of this quasi-theological cult of Shakespeare, and celebrates its demise in recent criticism. The theme is set by the title of his first chapter: "Restoration." The Puritan Revolution had closed the theaters and beheaded Charles I, a keen reader of Shakespeare. Restoring the monarchy, Taylor argues, was also restoring Shakespeare; and throughout English history his status has run parallel to the monarchy's, down to today's Royal Shakespeare Company. Restoration also implies restoring to texts their true, original meaning, downgrading the reader's participation in the process of interpretation in favor of submission to the author.

Taylor imagines a counterhistory in which England, rather than France, had a revolution in 1789, and argues that the ideological hegemony of Bardolatry served to keep foreign radicalisms at bay. Thus Coleridge's Shakespeare criticism formed part of an ideological counter-offensive against Jacobinism. In the United States, a period in the early 19th century when Shakespeare's plays were suspected as unpatriotically anti-democratic gradually gave way to his current apotheosis. An inscription in the Folger Shakespeare Library reads, "To the Glory of William Shakespeare and the Greater Glory of God," the adjective indicating a difficulty in retaining some kind of differentiation between the Bard and the Deity.

As Taylor's title indicates, he wants to depose this cult of the author. For the poet does not create, he merely invents; and subsequent readers have as important a part to play in the process of invention as the original author. Taylor draws on recent post-structuralist theory, which insists that the production of meaning by language is always far in excess of the intentions of an individual author. The critic's task is not to restore a single lost meaning, but to reinvent multiple meanings; critics become part of a pluralist democracy rather than a priestly caste tending a mystically creative author. A new school of textual

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criticism is decomposing the canon in different but sometimes related ways, fracturing the unity of texts like *King Lear* by showing that they underwent radical revisions. Which is the authoritative version? And how much control, in any case, did Shakespeare himself, as opposed to actors and printers, have over the versions that have come down to us? The author's unique creativity is being radically questioned.

Taylor's final chapter follows up this demolition by questioning whether Shakespeare really deserves his status as the world's greatest poet even on traditional literary grounds. The dice have often been loaded by English and American critics against writers from other cultures. From different traditions there have been more critical voices. Tolstoy, in a passionate attack on *King Lear*, complained that Shakespeare's vaunted complexity of language and theme was mere obfuscation, manifesting a timidity before the need for outspoken social criticism. French critics have often found his language too ornate and overblown, and preferred the austerity of their neoclassical drama. Taylor endorses and extends such objections. He complains that Shakespeare at once sentimentalizes and represses women, and that generally his political outlook is complacently conservative.

As *Reinventing Shakespeare* shows, these are exciting times in Shakespeare studies. If, a few years ago, it looked as if everything had been said, today there has been an enormous proliferation of debate in an increasingly international community of Shakespeareans. Taylor gives a lively and wide-ranging introduction to these debates, which have posed central questions about the social and political significance of a literary education. His demystifying readings of earlier critics benefit from the sophistication of recent Marxist and feminist analyses of ideology. And yet, as Taylor partly concedes, there may have been losses as well as gains: the old idolatry has given way to an iconoclasm that easily becomes cynical. Bloom's earnestness, however pompous, sometimes seems almost preferable.

On the one hand, the new criticism offers itself as endlessly exciting. Barthes described certain kinds of reading as providing an orgasmic pleasure. Taylor coins for Shakespeare studies the word "Shakesperotics." Still, after reading comes sadness: "We have made love to *The Tempest* so many times that the act of textual intercourse itself has begun to bore us." Taylor can "doubt whether anyone who professes literature in the English-speaking nations really knows anymore whether Shakespeare is 'as good as they say' . . . our tongues make noises but can no longer taste." Since there is no objective criterion for the truth of an interpretation or value judgment, the only real arbitration can come from fashion, and from the marketplace.

This situation does offer the consumer an exhilarating freedom. "You pays your money and you takes your choice," as Taylor characteristically remarks of the two versions of *Lear*. Where Johnson found the end of the tragedy too terrifying to read, we can now smile at such naïveté, and play with different endings to suit our lifestyle, with the satisfaction of knowing that we are displaying a creativity equal to the Bard's.

Taylor recognizes that the cult of indeterminacy can be criticized as turning reading into consumerism. The universities' "interpretation industries" have become mere branches of corporate capitalism, placing a premium on quantity of production and setting up a constant demand for built-in obsolescence: "Consumed today, replaced tomorrow." But he is not, in the end, all that critical of this process. Indeed, he clearly delights in it. His publisher proclaims him a "superstar," a label that would hardly have been applied to any previous generation of literary scholars. His claim to have discovered a lost Shakespeare lyric a few years ago was a striking illustration of the power of the international publicity machine. And the present book is on one level a prolonged puff for the new Oxford edition of Shakespeare, of which he was co-editor. He compares that edition's impact to "the naked red breasts of Gertrude in Peter Zadek's 1977 Bochum production of *Hamlet*. . . . It confronts the Shakespeare-loving public with a full-frontal challenge to its sense of propriety."

Well, whatever its merits—they are still a matter of much debate—the Oxford edition will probably come fairly low on most people's scale of sexual arousal. *Reinventing Shakespeare* certainly tries hard to excite. In true post-modernist style, Taylor freely accepts that he is not offering any kind of definitive truth. Each chapter is structured on the principle of the fictions fashionable in the period studied—with Victorian criticism narrated as a three-decker novel, and contemporary criticism in the breathless present tense of a David Lodge satire—thus emphasizing that the story he tells is one of an arbitrary succession of paradigms, not of a progress toward some kind of objective truth. "I have tried," he concludes, "to encourage you throughout the foregoing narrative not to trust me." In a few years a totally different story will be told with no greater claim to truth.

The gesture may seem generously democratic, but the equation of intellectual authority with despotic political power so current in recent criticism needs some hard examination. Democratic practice certainly implies carefully considering opposing viewpoints. But the gesture of renouncing any choice between them because all may be true has nothing necessarily democratic about it. It implies a thoroughgoing skepticism that may in the end reinforce dogmatism. And indeed Taylor is both enthusiastically pluralistic and extremely rigid on certain central assumptions. As a scourge of the Bard he is, of course, playing the role of gamekeeper turned poacher. He devoted considerable energy, after all, to an edition that aimed to give a historically authentic text of a great poet, and he clearly does not really doubt the truth of his version of history.

Like so many radical critics of the moment, Taylor is content by and large to accept that the High Tory reading of Shakespeare as endorsed by Bloom is historically true. Shakespeare, he tells us, "does not seem . . . to have been outraged or oppressed by the confines of his time"; he was "a mere technician of language, a verbocrat in the literary meritocracy." To put it baldly, Taylor clearly believes that Shakespeare was a stupid man who parroted the orthodoxies of his day; and if he is so ready to round on the man whose works he edited, it is perhaps because he found it such a strain to lower himself to Shakespeare's intellectual level. He points out that all three of Shakespeare's major non-European characters—Othello, Aaron, and Caliban—are sexually obsessed with a white woman, that two of them plot rapes, that all three of them murder or attempt to murder a white. In Taylor's account, Shakespeare's moral is that "on the natures of men like Othello and Caliban 'nurture will never stick,' the elegant adopted wardrobe conceals the body of an irredeemable savage."

At such points, however, Taylor's version of what Shakespeare must have thought becomes so staggeringly reductive as to strain credulity. Taylor wants to flatten the plays into an orthodoxy with which they repeatedly struggle. But Caliban is a sufficiently complex figure to have become a model for Mary Shelley's sympathetic monster in *Frankenstein*. Certainly one can imagine a more conventional Renaissance playwright having *Othello* end with some

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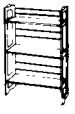

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scholarly Neo-Platonist, let us call him Bloomio, warning his audience that prolonged acquaintance with the good, the beautiful, and the true in Plato's original Greek has shown him that white fathers should never let their daughters marry black men. The last comment on Othello in Shakespeare's play, however, is Cassio's "he was great of heart." This is not to deny that there are problems in Shakespeare's representation of Othello; but the play is probing the limits of conventional ethnic stereotypes, not dully rehearsing them.

Taylor's account of Shakespeare's political reception is likewise far too one-sided. The book opens with the dramatic tableau of iconoclastic Puritans beheading the Shakespeare-loving Charles I; Taylor nowhere takes into account recent work that has shown that many opposition leaders were enthusiastic followers of the drama. When dealing with the Romantics, he again rehearses textbook commonplaces, lumping together figures as ideologically antagonistic as Coleridge and Hazlitt and breezily dismissing them all as pusillanimous reactionaries. And when it comes to the later 19th century, Taylor, like other exponents of the reactionary-Shakespeare school, has to make a very striking omission: he must leave out Karl Marx.

It has been in the spirit of recent radical criticism to refuse to bow to Marx's authority, and the demise of old fundamentalist dogmatisms need not be lamented. But the fact remains that Marx cannot easily be presented as a naive dupe of ruling-class ideology; and yet he and his family were enthusiastic Bardolaters, supporting the energetic if eccentric socialist scholar F. J. Furnivall in setting up the New Shakespeare Society. There is a problem here for Taylor's thesis. He simply ignores it; less significant figures are much easier to score witty points off.

It is not that Marx considered Shakespeare to be an out-and-out radical. He certainly did not write the kind of polemical drama, offering unfailingly virtuous oppressed characters in opposition to irredeemably wicked tyrants, that Tolstoy was calling for by the time of his *Lear* essay, and that Marx dismissed as "Schillerizing." Recent biographical scholarship shows that Shakespeare, like his own Shylock, was a moneylender who drove very hard bargains: a cautious, highly controlled figure, far from a romantic radical. But that evidence does show that he quietly and determinedly helped to build up a new cultural form that was regarded by many contemporaries as a wicked innovation.

If Shakespeare seems to fit the quintessential image of the "bourgeois," he was writing at a time when that group was starting to assert itself against traditional political forms. Marx did not see him as a mere passive mouthpiece for officialdom. Instead, he found in him a striking manifestation of that emergent historical and sociological consciousness that was to issue in the Enlightenment. Even if Shakespeare was skeptical about political change, his perceptions were preferable for Marx to the effusions of writers whose hearts were in the right place but who had left their minds behind.

Marx's insight has been remarkably little followed through. The basic assumption that Shakespeare lacked any originality of thought has meant that students of his sources and his political ideas have often confined themselves to the most banal commonplaces or to the immediate expression of topical issues. But none of his plays was immediately topical. All of them were set in remote historical or geographical settings. He was interested in projecting his audience's imaginations beyond the immediate, taken-for-granted facts of their social world into different possible worlds. In this project he was in the vanguard of the historical thought of his age. This was not just a matter of a single transcendent genius; he worked with a dramatic company who were themselves experimenting with a new medium.

At this point it is possible to enlist Karl Marx and Allan Bloom in an unlikely alliance. Being primarily concerned with political rather than literary issues, both men were in a position to recognize the unusual scope of Shakespeare's analysis of social process, his openness to his age's awareness of cultural forms different from its own. Having imagined democracy, Bloom believed, Shakespeare backed away from it in horror; other readings are possible. The point is that the plays urgently debate issues of conflicting cultural and political values that still have moment today, rather than simply serving out a preformed orthodoxy. It is essential, in the current debate about the canon in the humanities, to question the idol that tradition has made of Shakespeare, and of the immaculate WASPdom he is held to embody. Yet to that end Shakespeare himself may prove to be more of an ally than an antagonist.

DAVID NORBROOK is the author of *Poetry and Politics in the English Renaissance* (Routledge, Chapman & Hall) and teaches at Magdalen College, Oxford.

CORRESPONDENCE *continued from page 6*

only one measure of success. The broader measure will be the degree to which our new policies provide a greater equity stake and role for inner-city residents in every facet of the housing program, and thus, in controlling their own destiny.

JACK KEMP
Secretary of Housing and Urban Development
Washington, D.C.

Picture This

To the editors:

I was thrilled to see Alex Heard had written an article about the Mapplethorpe show ("Mapplethorpe of My Eye," August 21), but then dismayed when he confessed to being so jaded as to find, for one, "Man in Polyester Suit," well . . . *boring*.

Do you enjoy zoos, Mr. Heard?

PATRICE BEERS
Bridgeport, Connecticut

Aquinas on Abortion

To the editors:

In "The New Abortion Wars" (August 28) Morton M. Kondracke baldly states: "Up to the mid-19th century, the Roman Catholic Church . . . did not regard abortion as illegal before 'quickening'—the time (around the fourth month) when a mother can feel the fetus move inside her. Even St. Thomas Aquinas supported this idea." There is some fudging of issues here.

Pius IX did, in 1869, extend the penalty of excommunication to persons guilty of abortion at any stage of the pregnancy (before this the penalty was invoked only on those guilty of abortion after the 40th day of pregnancy). But this was a change of discipline, not of belief. The Roman Catholic Church since the first century C.E. has considered abortion immoral. True, Thomas Aquinas, following the primitive biology of Aristotle, held that the fetus was not fully human until the infusion of the soul, at about 40 days for males, 80 for females (both much earlier than Kondracke's four months). Aquinas would not call abortion before them formal murder, but as with the most ancient Christian writers, he still considered abortion at any stage morally wrong.

WILLIAM A. BARRY
Chestnut Hill, Massachusetts

In The Beginning

To the editors:

In his review of *From Beirut to Jerusalem* ("Field of Dreams," September 4), Martin

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Peretz trenchantly explores PLO pressure on Thomas Friedman during his Lebanon sojourn, the prelude to his relentlessly judgmental criticism of Israel thereafter. Peretz characterizes Friedman's perspective on Israel as "idealistic goofiness," but evidence dating back to Friedman's undergraduate years suggests that the likelier explanation is ideological bias.

During his final year at Brandeis (1974-75), Friedman belonged to the steering committee of a "peace group" that was openly affiliated with Breira, the notorious organization of New Left Jews who quickly read themselves out of the American Jewish community with their unmitigated venom toward Israel. On the eve of Yasir Arafat's infamous address at the U.N., declaring that "Zionism is racist" while brandishing a pistol on his hip, Friedman signed a statement as steering-committee member. It opposed Jewish protests against the PLO, favored a Palestinian state in the land of Israel, and dismissed PLO terror as unrepresentative of the Palestinian people—as though that mattered to Jewish victims.

Although Friedman has consistently claimed, in his book and in post-publication interviews, that Israel remained his true love until his reporting days, that is patently false. Friedman has remained true to what he was back in 1974, an Arabist who proclaims his love for Israel to legitimate his criticism of the Jewish state.

JEROLD S. AUERBACH
Wellesley, Massachusetts

To the editors:

Martin Peretz's review was a most welcome response to the numbers of uncritical reviews elsewhere. To paraphrase, nothing is so deeply scorned as the ideal that has disappointed its lover.

In 1955-56 I was an acting department chairman at the Hebrew University-Hadassah Medical School. On my return to this country, I wrote an article for the Hadassah monthly magazine. I emphasized the dangerous need of Americans in general and American Jews in particular to idealize Israel; that Israelis tended to be seen as superpeople, more courageous, moral, accomplished, and capable of mastering everything. I added that it would seem that Americans expected Israelis to be everything that we wished to be but are not.

It seems that the demand that Israel be a light unto the nations despite the intent and actions of nations to destroy it is why tiny Israel remains in the headlines as though it were a superpower. Friedman found that Israel did not live up to his excessively idealized expectations, and his anger continues in remarks he has made about more recent events in Israel.

JAMES MANN, M.D.
Waban, Massachusetts

TRB *continued from page 4*

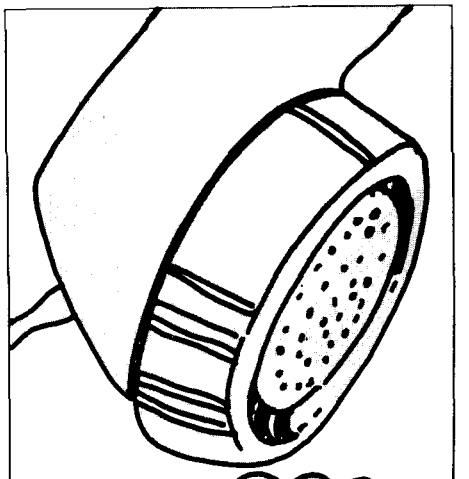
itly forbid RICO seizures "solely or even primarily to create a bargaining tool." If this rule is often ignored, the solution is to enforce it, not to repeal RICO, as many are calling for.

Then there is the complaint that RICO takes "ordinary" crimes like fraud, literally makes federal cases out of them, imposes excessive punishment, and stigmatizes the perpetrator with the label "racketeer." This also, it is said, unfairly induces guilty pleas to lesser offenses.

RICO may have been intended originally as a tool against organized crime as commonly understood, but there is no reason it should only apply against people whose last names end with a vowel. RICO didn't define any new crimes; it merely toughened the sanctions against certain forms of criminal activity already on the books. Once again, the comparison to street crime is enlightening. America has the toughest jail sentences in the free world. Why the flood of mercy for white-collar criminals? And in a national economy, it makes a lot of sense for complex economic crimes to be prosecuted on the federal level.

One complaint against RICO that is valid is its use in civil lawsuits. RICO not only allows private individuals to sue on the same basis that the government can prosecute; it awards triple damages. Prosecutors are limited in their use of this powerful tool by their resources and (usually) by their sense of discretion. But private lawyers know no restraint except the limits of their imaginations. All it takes to make a RICO suit is two unrelated alleged crimes over ten years. Lawyers have clogged the federal courts with "racketeering" suits over ordinary union fights, corporate litigation, and even a dispute between members of a synagogue. The ACLU is especially concerned about the use of RICO against political protesters such as right-to-lifers picketing an abortion clinic. Under RICO, misbehavior by one zealot can implicate the entire group.

So maybe RICO does need some tinkering. And maybe the term "racketeering" should go. But the idea that "Brownshirt" prosecutors (the *Journal* again) are grabbing innocent businessmen off the streets and sending them up the river for the crime of making money is a silly myth. I would wager—if that were legal—that no truly innocent business person has ever spent a night in prison, or even been forced to accept a lesser financial punishment, from having been RICO'd. If we're looking for ways to reform the criminal justice system, in order to temper justice with a bit more mercy, this is hardly the place to start. •



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WASHINGTON DIARIST

The End of Everything

DID YOU CATCH GEORGE AND Barbara Bush giving Sam Donaldson and Diane Sawyer a tour of the upstairs White House residence on ABC's "Prime Time Live"? This exercise was only the latest proof that the leader of the free world will do anything to get away from his briefing books. "Shall we look around?" Bush asked. "Oh, let's do," cooed Sawyer. Barbara showed Sam the Queen's room while George showed Diane the Lincoln bedroom. This created a certain amount of sexual tension, especially when the president invited Sawyer to test the horsehair mattress. Later, Millie, the First Pooch, licked herself in an indecent place. Isn't Bush the guy who won by appealing to values?

NEOCONSERVATISM, WHICH HAD not produced a new idea in years, finally coughed one up this past summer: Francis Fukuyama's now-famous declaration that the twilight struggle against communism is over, that Western-style capitalism has won, and that this signals "the end of history." I can't help wondering whether Fukuyama's prediction is part of a neocon conspiracy. Here's how it would go. The neoconservative movement is fueled by disillusion with the radicalism of the 1960s. There is some risk that the next generation will lack the same burning sense of betrayal. So movement elders have plotted to lure America's youth into a rosy complacency about the Soviet Union. Gorbachev is to be embraced as some sort of uber-neocon committed not only to *perestroika* but also to the abolition of affirmative action and the capital gains tax. When, inevitably, the real Gorbachev shows his true colors—say, by refusing to allow Peter Collier and David Horowitz to write a column for *Pravda*—youthful neocons-in-training will curse themselves for ever believing that peaceful coexistence with the Evil Empire was possible. The scales fallen from their eyes, they will demand an end to the Polandization of Western Europe and throw their support behind a new, streamlined version of the Strategic Defense Initiative called Crafty Bottlecaps or Awesome Toothpicks. Meanwhile, those of us who continue to observe Gorbachev's reforms with cautious optimism will be sneered at as pathetic dupes by crabby neoconservative pundits narrowly saved from extinction.

THE THREAT TO NEOCONSERVative columnists is real enough. In fact, these are hard times for the opinion business in general. The *Washington Times* recently went so far as to declare the art of punditry dead. Why? For one thing, Washington's mood has changed. The ideological demolition derby that Ronald Reagan presided over has yielded to a croquet match hosted by George Bush. Passionate policy debate has been displaced by political chitchat; Washington now seems less like "The McLaughlin Group" and more like "Washington Week in Review." Even if this were not so, the relevance of ideological pronouncements to the extremely fluid reality of places like the Soviet Union and China would be very questionable. The world is changing too quickly for anyone to care what people in Washington make of it. On the domestic front, punditry is hurt by the opposite phenomenon: deadlock and inaction. For the better part of a decade, America's major domestic task has been to reduce the budget deficit. Liberals want to raise taxes, conservatives want to cut spending, and neoliberals want to do both. Everyone has now heard the arguments more times than they can stand, but nobody has won, and the deficit will still be $110 billion after the next round of Gramm-Rudman cuts. Until it comes down much further, all discussion of creating new spending priorities—a national service program for the young, subsidized nursing home care for the old, a compulsory jobs program for those on welfare—will be theoretical, and therefore difficult for most people to get interested in.

THAT'S NOT TO SAY YOU CAN'T sell an idea these days. You can if it's Big and Apocalyptic (B&A) enough. Soon after Fukuyama proclaimed "The End of History" (actually, "The End of History?") in the neoconservative quarterly the *National Interest*, Bill McKibben proclaimed "The End of Nature" (no question mark) in a lengthy *New Yorker* article. McKibben's piece, excerpted from his new book, was by far the better of the two—a marvelously lucid and occasionally poetic explanation of the dangers of the greenhouse effect. But I had some trouble swallowing McKibben's B&A theme that mankind's ability to change the weather, map genes, etc., add up to the tragic destruction of nature. Aren't man and his technology also part of nature? McKibben rejects this as a "debater's point, a semantic argument" that fails to acknowledge nature's "separation from human society." Actually, I find it rather compelling. Yes, the progress of human intelligence has wrought damage to our planet, but there's ample reason to hope that "our" nature can someday be brought into harmony with that "separate" nature. To McKibben, the best solution would be for us to "limit our numbers and our desires and our ambitions." We should grow our own food, forswear material possessions, and live like Gandhi and Thoreau. This is a caricature of environmentalism. In a world so constricted I'd feel too depressed to look at the scenery. I prefer to think of a future where coexistence between man and his environment accompanies the *expansion* of his desires and ambitions, i.e., progress. Interestingly, this is very close to Fukuyama's vision of the post-historical future. According to Fukuyama, the great powers will rechannel their energy into environmentalism, economics, and "satisfaction of sophisticated consumer demands." Fukuyama's got the perverse idea that this will be a "very sad time." He says there will be no art and no philosophy, just nostalgia for the good old days when East and West were perpetually on the brink of mutual annihilation. Obviously he's nuts. If McKibben is wishing for a future most people would hate, Fukuyama is dreading a future most people would love.

I DON'T ACTUALLY BELIEVE IN either the End of History or the End of Nature, but something Bush said on "Prime Time Live" made me briefly worry whether we are approaching the End of Everything. (Interested publishers can call my agent.) Bush was showing Sawyer a painting of Lincoln. Sawyer observed that Lincoln's was a brooding presence in the White House. Why was Bush's view of the presidency so much sunnier? Because "I haven't been tested by fire," Bush answered. There was a slight but unmistakable tone of wistfulness in his voice, as if the opportunity to preside over a war were some sort of Outward Bound exercise. "Abraham Lincoln had the goal of holding the union, keep brother from killing brother. I mean it was tough, but—" At this point, Sawyer, displaying the star power for which ABC pays her millions, cut off the president of the United States. Luckily, Donaldson got back to it later. "Well, Sam," Bush answered, "when you think of the presidents who've lived in this house and the tests they've had to face, the Great Depression, the War Between the States, we haven't been tested by fire." Asked if he saw the opportunity coming his way anytime soon, Bush assured Donaldson that "we're living in fortunate times and I want to build on it." Still, the air was thick with Lincoln envy. Should Bush choose to act on it, he could make Fukuyama and McKibben look like Rebecca of Sunnybrook Farm.

TIMOTHY NOAH

Timothy Noah is a Washington writer.

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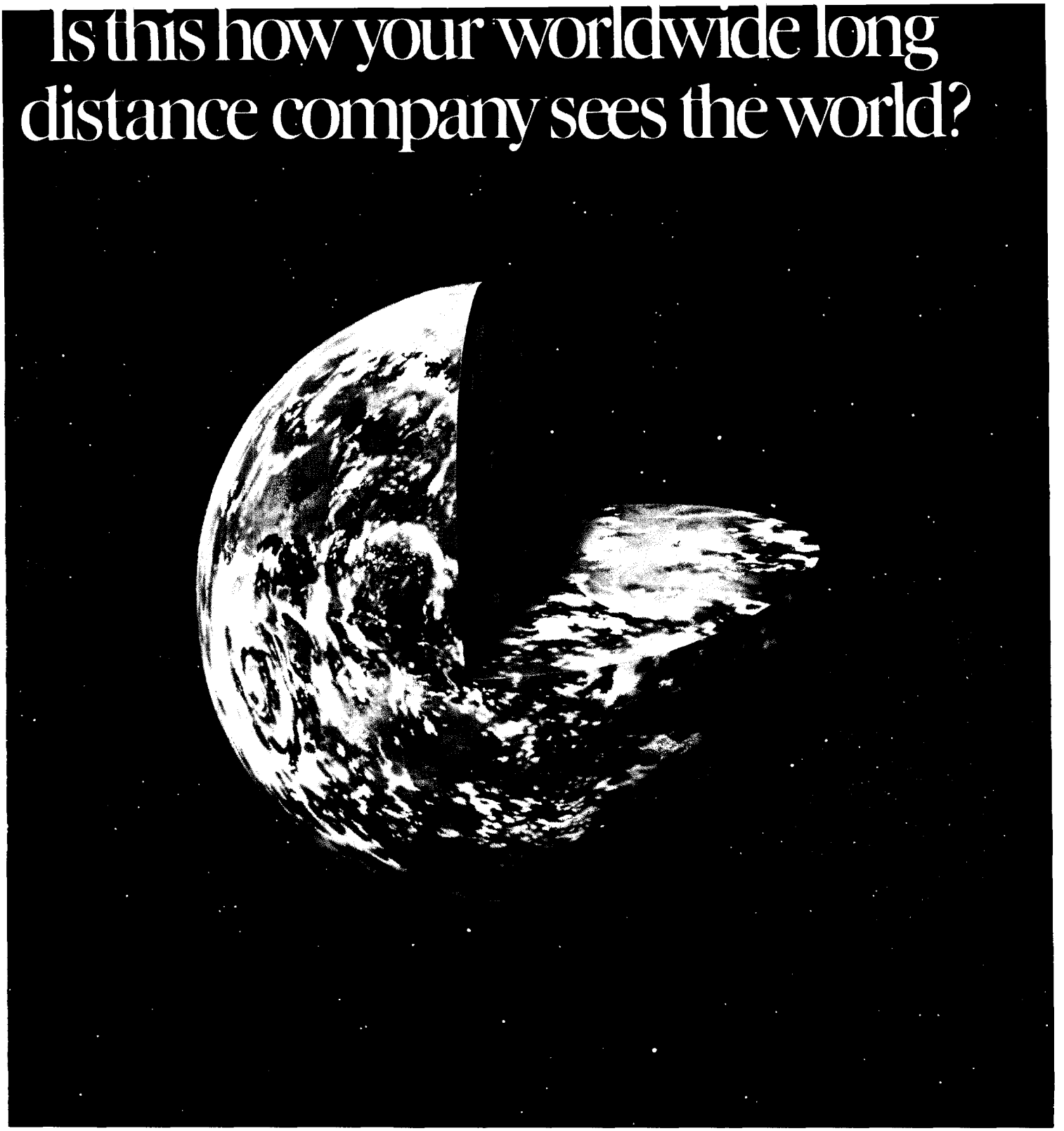

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